

# EXHIBIT S

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**IN RE: ORAL PHENYLEPHRINE  
MARKETING AND SALES PRACTICES  
LITIGATION**

**THIS DOCUMENT APPLIES TO:  
ALL CASES**

Case No. 23-md-3089-BMC

**DECLARATION OF CARI CAMPEN  
LAUFENBERG IN SUPPORT OF  
APPOINTMENT TO LEADERSHIP**

I, Cari Campen Laufenberg, declare and state as follows:

1. I am a partner at the law firm of Keller Rohrback L.L.P. ("Keller Rohrback") in Seattle, Washington, and one of the attorneys representing Plaintiffs Rebecca Lynn Reyes (Case No. 1:23-cv-00623-DRC (S.D. Ohio)) and Martha A. Page (Case No. 2:23-cv-20962-MEF-CLW (D.N.J.)) in this matter. I submit this declaration in support of the proposed leadership slate, including my appointment to serve as a member of the Plaintiffs' Steering Committee. Like other members of the proposed leadership slate, I am committed to pursuing claims on behalf of the tens of millions of putative class members who have purchased ineffective products from Defendants containing phenylephrine. I have personal knowledge of the information contained herein, and, if called as a witness, could and would testify competently thereto.

2. I have considerable experience in large-scale and multidistrict complex class action litigation, and my firm, Keller Rohrback, is a recognized leader in complex litigation nationwide. *See* Keller Rohrback L.L.P. Firm Resume, attached as Exhibit A.<sup>1</sup> For example, I currently serve as Co-Lead Counsel in the MDL litigation, *In Re: T-Mobile Customer Data Security Breach Litigation*, No. 4:21-MD-03019-BCW, MDL No. 3019 (W.D. Mo.) (settlement

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<sup>1</sup> More complete information about the firm is available on the firm's website, available at <https://www.kellerrohrback.com>.

approved June 29, 2023). The litigation involves the 2021 data breach in which more than 76 million of T-Mobile's U.S. customers were impacted. Together with my co-counsel, we reached a settlement last year which provides for a \$350 million non-reversionary cash fund and an additional \$150 million spending commitment by T-Mobile for data security and related technology over two years. The settlement, one of the largest data breach settlements in history, has received final approval by the district court and is currently on appeal to the United States Court of Appeals for the Eighth Circuit.

3. I was also recently appointed to serve as Co-Lead Interim Class Counsel in another multidistrict litigation regarding the 2022 T-Mobile data breach which impacted approximately 37 million of T-Mobile's U.S. customers: *In Re: T-Mobile Customer Data Security Breach Litigation*, No. 4:23-MD-03073-BCW, MDL No. 3073 (W.D. Mo.). The case will now proceed before United States District Court Judge Brian C. Wimes of the Western District of Missouri with the filing of a master consolidated complaint in late February 2024.

4. I likewise served as Interim Co-Lead Counsel in another multidistrict litigation: *In Re: 21st Century Oncology Customer Data Security Breach Litigation*, Case No. 8:16-md-2737-MSS-AEP, MDL No. 2737 (M.D. Fla.)—a case involving an October 2015 data breach impacting 2.2 million customers of Florida-based healthcare provider 21st Century Oncology, which resulted in a settlement despite 21st Century declaring bankruptcy. In achieving this result together with co-counsel, I drew on my skill, as well as Keller Rohrback's expertise and experience in the fields of bankruptcy and insurance coverage litigation in addressing the related bankruptcy proceedings and insurance coverage declaratory actions that were critical to resolving this litigation.

5. Additionally, I have served in leadership positions in other large class actions including as Interim Lead Class Counsel in *In re: EpiPen ERISA Litigation*, No. 17-1884 (PAM/HB) (D. Minn.)—an action on behalf of members of ERISA-governed health plans who alleged that the rebates and fees that the plans’ pharmacy benefit managers (“PBMs”) negotiated with Mylan, the manufacturer of EpiPen, caused health plan members to pay too much for EpiPens. I also served as Class Counsel in *Fox v. Iowa Health System*, No. 18-00327 (W.D. Wis.), an action brought against Iowa Health System (UnityPoint Health) on behalf of approximately 1.4 million individuals in Wisconsin, Iowa, and Illinois, which resulted in a favorable settlement approved in March 2021. I have likewise served as a member of various leadership committees including the Plaintiffs’ Steering Committees in *In Re: Experian Data Breach Litigation*, No. SACV 15-1592 AG (DFMx) (C.D. Cal.) and *In Re: VTech Data Breach Litigation*, 15-cv-10889 (N.D. Ill.).

6. I have also played key roles in significant actions in which Keller Rohrback has held leadership positions including the recent multidistrict litigation, *In re: Facebook, Inc. Consumer Privacy User Profile Litigation*, MDL No. 1441 (N.D. Cal.), (settlement approved Oct. 10, 2023), in which Keller Rohrback was appointed Interim Co-Lead Counsel and, together with our co-lead counsel, achieved a \$725 million settlement—the largest recovery ever achieved in a data privacy class action and the most Facebook has ever paid to resolve a private class action.

7. In addition to my individual contributions, I also bring the full support of my firm, a nationally recognized leader in class action litigation, with the depth and breadth of experience and resources to manage and prosecute a case of this magnitude. For more than 35 years, Keller Rohrback’s nationally recognized Complex Litigation Group has successfully represented

consumers and employees nationwide in many of the most complex and cutting-edge cases obtaining judgments and settlements on behalf of clients in excess of \$78 billion. With more than sixty attorneys, headquarters in Seattle, and offices in Oakland, Santa Barbara, Portland, Phoenix, Missoula, and New York, Keller Rohrback frequently serves as lead counsel or in other appointed leadership positions in prominent consumer class actions. *See Exhibit A.*

8. With the support of my colleagues at Keller Rohrback, I am able to pursue cases with passion and dedication in a professional and civil manner. I follow Keller Rohrback's approach to litigation, with an emphasis on teamwork, collaboration, and finding creative solutions to complex problems. Likewise, I have first-hand experience with the substantial time commitment required to prosecute a multidistrict data breach litigation and am available and prepared to make such a commitment to this litigation.

9. Further, my appointment as a member of the Plaintiffs' Steering Committee will both serve the Court's goal of promoting diversity and ensure that this important litigation is allocated the significant experience and resources necessary to further Plaintiffs' claims on behalf of the putative class.

10. In short, I, together with my firm, Keller Rohrback, have the breadth and depth of technical skill and experience to facilitate my making a meaningful contribution as a member of the Plaintiffs' Steering Committee in this matter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: January 15, 2024

KELLER ROHRBACK L.L.P.

By /s/ Cari Campen Laufenberg

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***Attorney for Plaintiffs Reyes and Page***

# Exhibit A

**KELLER  
ROHRBACK**  
LAW OFFICES • L. L. P.

**COMPLEX  
LITIGATION**

# ABOUT KELLER ROHRBACK



## Devoted to Justice

*“[Keller Rohrback] has performed an important public service in this action and has done so efficiently and with integrity . . . [Keller Rohrback] has also worked creatively and diligently to obtain a settlement from WorldCom in the context of complex and difficult legal questions.”*

*In re WorldCom, Inc. ERISA Litig.*, No. 02-4816, 2004 WL 2338151, at \*10 (S.D.N.Y. Oct. 18, 2004) (Cote, J.).

### Keller Rohrback's lawyers excel by being prepared and

**persuasive.** It's a simple formula that combines our strengths: outstanding writing and courtroom skill, together with unparalleled passion and integrity. We have recovered billions of dollars for our clients and have served as lead counsel in many prominent cases, including numerous financial crisis cases against Wall Street banks and mortgage originators. Our lawyers are recognized as leaders in their fields who have dedicated their careers to combating corporate fraud and misconduct. We have the talent as well as the financial resources to litigate against Fortune 500 companies—and do so every day.



## Who We Are



Keller Rohrback's Complex Litigation Group has a national reputation as the go-to plaintiffs' firm for large-scale, complex individual and class action cases. We represent public and private investors, businesses, governments and individuals in a wide range of actions, including securities fraud, fiduciary breach, antitrust, insurance coverage, whistleblower, environmental, and product liability cases. Our approach is straightforward—we represent clients who have been harmed by conduct that is wrong, and we litigate with passion and integrity to obtain the best results possible. Every case is different, but we win for the same reason: we are persuasive. When you hire us, you hire smart, creative lawyers who are skilled in court and in negotiations.

Founded in 1919, Keller Rohrback's over 60 attorneys and more than 100 staff members are based in eight offices across the country in Seattle, Denver, Missoula, New York, Oakland, Phoenix, Portland, and Santa Barbara. Over the past century, our firm has built a distinguished reputation by providing top-notch representation. We offer exceptional service and a comprehensive understanding of federal and state law nationwide. We also are well known for our abilities to collaborate with co-counsel and to work together to achieve outstanding results—essential skills in large-scale cases in which several firms represent the plaintiffs. We pride ourselves on our reputation for working smartly with opposing counsel, and we are comfortable and experienced in coordinating high-stakes cases with simultaneous state and federal government investigations. Keller Rohrback attorneys earn the respect of our colleagues and our opponents through our deft handling of the array of complex issues and obstacles our clients face.

# ABOUT KELLER ROHRBACK



## What We Do

Keller Rohrback's Complex Litigation Group represents plaintiffs in large-scale cases involving corporate wrongdoing. We litigate against companies that pollute, commit fraud, fix prices and take advantage of consumers, employees, and investors. We are passionate advocates for justice. In addition, the Complex Litigation Group regularly calls on attorneys in the firm's other practice areas for expertise in areas such as bankruptcy, constitutional law, corporate transactions, financial institutions, insurance coverage and intellectual property. Our group's access to these in-house resources distinguishes Keller Rohrback from other plaintiffs' class action firms and contributes to the firm's success. We also have a history of working with legal counsel from other countries to vigorously pursue legal remedies on behalf of clients around the globe.

We have won verdicts in state and federal courts throughout the nation and have obtained judgments and settlements on behalf of clients exceeding \$78 billion. Courts around the country have praised our work, and we are regularly appointed lead counsel in nationally prominent class action cases. Our work has had far-reaching impacts for our clients in a variety of settings and industries, creating a better, more accountable society.

## Whom We Serve

We represent individuals, institutions, and government agencies. The common denominators of our clients is a desire to see justice done—and to be represented by attorneys who practice law with integrity, honesty, and devotion to serving our clients' interests.



*"Despite substantial obstacles to recovery, Keller Rohrback L.L.P. was willing to undertake the significant risks presented by this case . . . Class Counsel achieved real and substantial benefits for members of the Class. [Their] extensive prior experience in complex class action securities litigation . . . enabled the Class to analyze and achieve this excellent result." Order at 2, *Getty v. Harmon (SunAmerica Sec. Litig.)*, No. 98-178 (W.D. Wash. Sept. 20, 1999) (Dwyer, J.)*

# ANTITRUST AND TRADE REGULATION



## ATTORNEYS

Lynn Lincoln Sarko  
Gretchen Freeman Cappio  
Alison Chase  
Felicia Craick  
Matt Gerend  
Cari Campen Laufenberg  
Derek Loeser  
Ryan McDevitt  
Daniel Mensher

**Keller Rohrback's antitrust and trade regulation practice represents Plaintiffs in state and federal courts to ensure that consumers get the benefits of free and fair competition in the marketplace.** Keller Rohrback has successfully litigated cases on behalf of both consumers and businesses who have been harmed by illegal anti-competitive conduct, such as price fixing, price discrimination, misleading and deceptive marketing practices, and the monopolization and attempted monopolization of markets.

Keller Rohrback has served as lead counsel, on MDL executive committees, and in other prominent roles in large price-fixing and price discrimination cases. In 2022, Keller Rohrback was honored by the American Antitrust Institute for its work on the *In re EpiPen Marketing, Sales Practices, and Antitrust Litigation*, receiving an award in the category of Outstanding Antitrust Ligation Achievement in Private Law Practice.

## REPRESENTATIVE CASES

*In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig.*, MDL No. 2785 (D. Kan.)

Keller Rohrback serves as Plaintiffs' Co-Lead Counsel in this litigation regarding the marketing, pricing, and sale of EpiPen auto-injector devices in the United States. Plaintiffs alleged that defendants Mylan and Pfizer engaged in unfair and illegal activities that stifled competitors, allowing defendants to maintain their dominant market positions and increase the prices of EpiPen products by over 500%. These practices forced consumers to pay inflated and unnecessary costs for EpiPens—a device on which many lives depend. The Court certified two classes of consumers and payors against Defendants Mylan and Pfizer. Through separate settlements with the Mylan and Pfizer defendants, Class Counsel achieved settlements totaling \$609 million for the benefit of the classes.

*Nurse Wage Litigation: Fleischman v. Albany Med. Ctr.*, No. 06-765 (N.D.N.Y.); *Cason-Merenda v. Detroit Med. Ctr.*, No. 06-15601 (E.D. Mich.)

Keller Rohrback was Co-Lead Counsel in these long-running antitrust actions which recovered \$105 million in underpaid wages resulting from an alleged conspiracy among hospitals to set the compensation of their nurse employees in Albany, New York, and Detroit, Michigan.

*Ferko v. National Ass'n for Stock Car Auto Racing, Inc.*, No. 02-50 (E.D. Tex.)

Keller Rohrback was Counsel for Plaintiff, a shareholder in Texas Motor Speedway (TMS), in a lawsuit that charged NASCAR with breach of contract, unlawful monopolization, and conspiring with International Speedway Corporation (ISC) to restrain trade in violation of the antitrust laws. The settlement agreement allowed TMS to purchase North Carolina Speedway from ISC and required NASCAR to sanction a Nextel Cup Series race at TMS in the future, relief that was valued at \$100.4 million.

"The Court has repeatedly stated that the lawyering in the case at every stage was superb, and does again." Mem. at 12, *In re Linerboard Antitrust Litig.* (E.D. Pa. June 2, 2004) (DuBois, J.).

# ANTITRUST AND TRADE REGULATION



## REPRESENTATIVE CASES continued

### *In re Vitamins Antitrust Litig.*, MDL No. 1285 (D.D.C.)

Keller Rohrback played a significant role in litigating this MDL case, one of the largest and most successful antitrust cases in history. Chief Judge Thomas Hogan certified two classes of businesses who directly purchased bulk vitamins and were overcharged as a result of a ten-year global price-fixing and market-allocation conspiracy. Recoveries for the class through settlement and verdict totaled over \$1 billion.

### *In re Liquid Aluminum Sulfate Antitrust Litig.*, MDL No. 2687 (D.N.J.)

In 2016, Keller Rohrback filed numerous class action complaints in federal courts on behalf of several municipalities in Washington, California, and Arizona that purchase and use liquid aluminum sulfate ("Alum") to treat and clean their waste water. The complaints contained claims against the major manufacturers of Alum who allegedly engaged in a conspiracy to artificially inflate the price of this essential chemical used in municipal water treatment. As a result of these antitrust violations, municipalities—and their taxpayers—had overpaid millions of dollars to the co-conspirators for the Alum they purchased during the long life of this conspiracy. In March 2020, the Court authorized the transfer of settlement funds to pay claims of the Settlement Class Members.

### *In re Online DVD Rental Antitrust Litig.*, MDL No. 2029 (N.D. Cal.)

Keller Rohrback represented purchasers of online DVD rental services accusing Walmart and Netflix of engaging in a market allocation scheme. The class achieved settlements of over \$30 million.

### *Transamerican Refining Corp. v. Dravo Corp.*, No. 88-789 (S.D. Tex.)

Keller Rohrback served as Co-Lead Counsel in this class action filed on behalf of all cost-plus purchasers of specialty steel pipe. Fabricators and suppliers of that pipe were sued on allegations of a nationwide price fixing conspiracy. The class of electric generating plant and oil refinery owners, achieved a settlement of over \$49 million.

### *Johnson v. Arizona Hosp. & Healthcare Ass'n*, No. 07-1292 (D. Ariz.)

Keller Rohrback represented agency nurses who worked at various Arizona hospitals seeking to recover the underpayment of wages resulting from a conspiracy to suppress the cost of agency nurses. The class achieved settlements of more than \$26 million.

### *Daisy Mountain Fire Dist. v. Microsoft Corp.*, MDL No. 1332 (D. Md.)

Keller Rohrback obtained a settlement in of over \$4 million on behalf of a class of Arizona governmental entities that indirectly purchased operating systems and software from Microsoft for overcharges resulting from Microsoft's monopolistic practices. The settlement returned millions of dollars to local government entities at a time of severe budget crisis in the state.

### *Molecular Diagnostics Labs. v. Hoffmann-La Roche Inc.*, No. 04-1649 (D.D.C.)

Keller Rohrback served on the Executive Committee of this class action lawsuit on behalf of direct purchasers of *thermus aquaticus* DNA polymerase (Taq), an essential input to technologies used to study DNA. The lawsuit alleged that various Hoffman-La Roche entities, in concert with the Perkins Elmer Corp., fraudulently procured a patent for Taq with the intent of illegally monopolizing the Taq market. The court approved a \$33 million settlement in 2008.

### *In re Delta Dental Antitrust Litig.*, No. 19-6734 (N.D. Ill.)

Ryan McDevitt serves on several of the plaintiffs' committees in the sprawling multistate Delta Dental antitrust litigation on behalf of dentists nationwide, in which the numerous state Delta insurers are alleged to have coordinated efforts not to compete and to abuse their monopsony power in the market for dental insurance throughout the United States.

# APPELLATE PRACTICE



## ATTORNEYS

Lynn Lincoln Sarko

Matt Gerend

Ben Gould

Ron Kilgard

Cari Campen Laufenberg

Jeffrey Lewis

Derek Loeser

Matthew Preusch

Erin Riley

Appeals require specialized skills and experience, and Keller Rohrback has a seasoned appellate team that includes award-winning brief writers and outstanding oral advocates. Our appellate experience is particularly important in large cases, including complex class actions. Keller Rohrback has the experience and talent to handle any issue that arises involving interlocutory appeals and will work to ensure that any judgment or settlement is affirmed on appeal.

## REPRESENTATIVE CASES

*ERISA Indus. Comm. v. City of Seattle*, 840 F. App'x 248 (9th Cir. 2021)

Keller Rohrback and the Seattle City Attorney persuaded the Ninth Circuit to affirm the dismissal of an industry group's ERISA preemption lawsuit, which sought to invalidate a City ordinance mandating the payment of additional compensation to enable hotel employees to better afford health care. On November 21, 2022, the U.S. Supreme Court denied a petition for certiorari, thereby ending efforts to invalidate the City ordinance.

*Smith v. OSF Healthcare Sys.*, 933 F.3d 859 (7th Cir. 2019)

Keller Rohrback successfully obtained reversal of summary judgment in litigation to protect the pension benefits of hospital employees. The Seventh Circuit held that the trial court abused its discretion by granting a summary judgment motion filed long before the close of discovery when plaintiffs were diligently pursuing relevant discovery and had filed a well-supported motion under Federal Rule of Civil Procedure 56(d).

*Campidoglio, LLC v. Wells Fargo & Co.*, 870 F. 3d 963 (9th Cir. 2017)

This is a proposed class action arising out of Wells Fargo's alleged miscalculation of the interest rates charged to Borrowers. The Ninth Circuit reversed the dismissal finding that the Home Owners' Loan Act does not preempt the Borrowers' interest rate calculation breach of contract claim, which arises under Washington law.

*Hall v. Elected Officials Retirement Plan*, 241 Ariz. 33, 383 P.3d 1107 (2016)

Keller Rohrback successfully represented a class of all sitting Arizona general jurisdiction judges in a challenge to the legislature's reduction of their retirement benefits as in violation of the Arizona constitution

*Kaplan v. Saint Peter's Healthcare Sys.*, 810 F.3d 175, 177 (3d Cir. 2015); *Stapleton v. Advocate Health Care Network*, 817 F.3d 517, 523 (7th Cir. 2016); *Rollins v. Dignity Health*, 830 F.3d 900, 906 (9th Cir. 2016); *rev'd*, 137 S. Ct. 1652 (2017)

Keller Rohrback obtained unanimous decisions from panels of the Third, Seventh, and Ninth Circuits that religiously affiliated health care systems were not exempted from ERISA, the federal pension law, by virtue of a particular provision of the relevant statute. Keller Rohrback also defended the appellate decisions in the U.S. Supreme Court, which disagreed with the Circuits on the statutory interpretation issue presented and remanded for further litigation, which Keller Rohrback also handled, on other sources for a possible statutory exemption.

# APPELLATE PRACTICE



## REPRESENTATIVE CASES continued

### *Gates v. UnitedHealth Grp. Inc.*, 561 F. App'x 73 (2d Cir. 2014)

Keller Rohrback persuaded the Second Circuit to reverse the district court's dismissal of our client's claims for medical coverage.

### *Comerica Bank v. Mahmoodi*, 224 Ariz. 289 (App. 2010)

Keller Rohrback successfully reversed a multi-million dollar judgement entered on summary judgment for a plaintiff. The opinion is a major statement in Arizona on the principles of summary judgment practice.

### *Braden v. WalMart Stores, Inc.*, 588 F.3d 585 (8th Cir. 2009)

Keller Rohrback represented a class of Walmart employees who alleged that Walmart's 401(k) plan charged them excessive fees. Keller Rohrback convinced the Eighth Circuit to reverse the trial court and reinstate the employees' claims.

### *James v. PacifiCorp*, No. A179017 (Oregon Court of Appeals, Jan. 25, 2023)

Keller Rohrback successfully defended in the Oregon Court of Appeals a trial court's order certifying a liability issues class of fire survivors, the first class certification order of its kind in a major utility-caused fire case.

# AUTOMOTIVE LITIGATION



## ATTORNEYS

Lynn Lincoln Sarko  
Gretchen Freeman Cappio  
Alison Chase  
Felicia Craick  
Adele Daniel  
Kylie Fisher  
Zack Gussin  
Derek Loeser  
Ryan McDevitt  
Sydney Read  
Emma Wright

Keller Rohrback is renowned for its success in representing consumers in high-stakes, complex litigation involving automotive defects and misrepresentations. Courts regularly appoint our nationally recognized attorneys to plaintiffs' leadership teams for automotive class actions, including numerous actions consolidated in multidistrict litigation. These cases reflect our firm's ongoing commitment to ensuring the safety of drivers, passengers, their vehicles, and the environment.

## REPRESENTATIVE CASES

*In re Volkswagen "Clean Diesel" Mktg., Sales Pracs., & Prods. Liab. Litig., MDL No. 2672 (N.D. Cal.)*

Keller Rohrback filed the first multi-Plaintiff complaint against Volkswagen on September 20, 2015, two days after the defeat device scheme came to light. Keller Rohrback represented consumers nationwide who alleged they were damaged by Volkswagen's fraudulent use of an emissions "defeat device" in over 500,000

vehicles in the United States. Keller Rohrback Managing Partner Lynn Sarko served on the Plaintiffs' Steering Committee for this national litigation. Lynn Sarko and partner Gretchen Freeman Cappio served on the negotiating team for the \$15 billion class action settlement for 2.0-liter vehicles, the largest auto-related consumer class action in U.S history. Keller Rohrback played a similar role in reaching and implementing similar settlements with Volkswagen and Bosch regarding approximately 100,000 3-liter vehicles.

*In re Chrysler-Dodge-Jeep EcoDiesel Mktg., Sales Pracs., & Prods. Liab. Litig., MDL No. 2777 (N.D. Cal.)*

From the outset, Keller Rohrback played a major role in this multidistrict litigation, representing consumers nationwide who alleged that Fiat Chrysler used an emissions defeat device in over 100,000 Ram 1500 and Jeep Grand Cherokee diesel trucks and SUVs. Keller Rohrback Managing Partner Lynn Sarko was appointed by the Court to the Plaintiffs' Steering Committee leading this case, and Keller Rohrback attorneys took an active role in discovery and served on the negotiating

*In re ZF-TRW Airbag Control Units Prods. Liab. Litig., MDL No. 2905 (C.D. Cal.)*

Gretchen Freeman Cappio is a member of the Plaintiffs' Steering Committee ("PSC"). In her work on the PSC, Gretchen has directed briefing efforts on cutting edge legal issues and steers plaintiffs' global strategy. Plaintiffs' allegations against auto parts supplier ZF-TRW and automakers Fiat Chrysler Automobiles/Stellantis, Kia, Hyundai, Toyota, Honda, and Mitsubishi relate to defective airbag control units in 12.3 million vehicles that may cause airbags to fail to inflate in the event of a crash.

# AUTOMOTIVE LITIGATION



## REPRESENTATIVE CASES continued

### *In Re: Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation, MDL 3052 (C.D. Cal.)*

Keller Rohrback L.L.P. represents multiple Governmental Entities nationwide that are experiencing a surge of stolen vehicles. Defendants Hyundai Motor America ("Hyundai") and Kia America, Inc. ("Kia") deviated from industry norms and failed to install effective vehicle locking technology in the majority of their vehicles manufactured for sale in the United States between 2011 and 2021, making them highly susceptible to theft. Gretchen Freeman Cappio, a Keller Rohrback partner, has been appointed by the Court as Co-Chair of Executive Committee for the Multi-District Litigation (MDL) as well as Chair of the Governmental Entities Committee. Additionally, Keller Rohrback partner Ryan McDevitt was named to both the Discovery Committee and Expert Committee for the MDL. The Governmental Entities Track of the litigation is currently at the Motion to Dismiss stage before Judge James V. Selna of the United States District Court for the Central District of California.

### *Speerly v. General Motors, LLC, No. 19-11044 (E.D. Mich.)*

Gretchen Freeman Cappio was appointed to the Plaintiffs' Steering Committee in the General Motors ("GM") transmission litigation and expects to play a major role in the case. In this putative class action, Plaintiffs allege that transmission defects in GM, Chevrolet, and Cadillac vehicles sold as early as 2014 can cause unsafe conditions that GM failed to disclose or repair despite longstanding knowledge and numerous attempts.

### *In re Hyundai and Kia Engine Litig. II, No. 18-02223 (C.D. Cal.)*

Gretchen Freeman Cappio was appointed as settlement counsel by the court in consolidated litigation against automakers Hyundai and Kia and their American subsidiaries. The litigation arises out of Hyundai's and Kia's failure to disclose or timely remedy several serious design and manufacturing defects that can cause engines to suddenly stall or burst into flames while driving. Judge Stanton granted preliminary approval of the Settlement on February 8, 2023.

### *Stringer v. Nissan North Am. Inc., No. 21-99 (M.D. Tenn.)*

Ryan McDevitt served on the court-appointed Executive Committee that achieved a settlement valued at over \$300 million for consumers in litigation concerning defective transmissions in Nissan and Infiniti vehicles, *Stringer v. Nissan North Am., Inc.*, No. 21-99 (M.D. Tenn.)

### *In re Chevrolet Bolt EV Battery Litig., No. 20-13256 (E.D. Mich.)*

Judge Berg appointed Keller Rohrback Co-Lead Counsel in the consolidated Chevrolet Bolt defective battery litigation. Plaintiffs allege that General Motors failed to disclose dangerous battery defects that led to an increased risk of catastrophic fires and diminished battery function. The litigation is on-going.

# BANKRUPTCY-RELATED LITIGATION



## ATTORNEYS

Laurie Ashton  
Gary A. Gotto  
Christopher Graver

**Keller Rohrback attorneys have deep and broad experience litigating in the bankruptcy courts on behalf of Plaintiffs whose claims were interrupted by bankruptcy petitions, as well as creditors, debtors, and creditor committees.**

Our experience includes representing claimants and class claimants in numerous large-scale bankruptcies - such as the pending Purdue Pharma bankruptcy in New York, which forms a part of our larger representations in the nationwide opioid litigation. Keller Rohrback's representations have involved virtually all areas of sophisticated bankruptcy practice, including:

(i) negotiating acceptable terms of a plan of reorganization with the debtor, creditors' committee, and other bankruptcy constituencies; (ii) pursuing relief from the automatic stay to litigate claims in district court; (iii) seeking and opposing orders to withdraw the reference to the bankruptcy court; (iv) certifying a claimant class in bankruptcy; (v) asserting rights to officer, director, or fiduciary insurance policies between conflicting bankruptcy claimants; (vi) evaluating and negotiating proposals for debtor financing, cash collateral orders, estate sale orders and other bankruptcy administrative matters; and (vii) defending against subordination claims.

Keller Rohrback's bankruptcy attorneys also have extensive experience in a wide variety of matters involving corporate restructuring and commercial bankruptcies. Our bankruptcy clients have ranged from tort claimants to operating entities to institutional lenders. Examples include representation of the official committee of victims of clergy sexual abuse in the Chapter 11 reorganization of a Catholic diocese, the debtors in a reorganization of fifty commercial real properties across the nation; and a national services company in the acquisition of a competitor's assets in a bankruptcy court-approved sale in the Northern District of California.

In addition to the representative cases listed below, Keller Rohrback has achieved similar results in numerous other bankruptcy proceedings involving corporations such as Global Crossing Ltd., Mirant Corp., Delphi Corp., and Fremont General Corp.

## REPRESENTATIVE CASES

### *In re Enron Corp., No. 01-16034 (Bankr. Ct. S.D.N.Y.)*

Keller Rohrback obtained stay relief to pursue litigation in the Southern District of Texas and defended against a motion to subordinate claims. Keller Rohrback achieved a settlement for the class that included the allowance of a \$265 million claim in the Enron bankruptcy.

### *In re WorldCom, Inc. Sec. Litig., Nos. 02-3288, 02-8981 (S.D.N.Y.)*

Keller Rohrback defended against a motion to subordinate claims and successfully negotiated a simultaneous resolution of claims in the bankruptcy and district courts against third parties in the total amount of \$48 million.

### *In re Nortel Networks Inc., No. 09-10138 (Bankr. Ct. D. Del.)*

Keller Rohrback represented class claimants in simultaneous insolvency proceedings in Canada under the Companies' Creditors Arrangement Act and bankruptcy court in the District of Delaware. Keller Rohrback obtained stay relief to pursue litigation in the Middle District of Tennessee and ultimately settled class claims in Tennessee for over \$21 million.

### *In re Washington Mut., Inc., No. 08-12229 (Bankr. Ct. D. Del.)*

Keller Rohrback sought stay relief to pursue litigation in the Western District of Washington and pursued claims in bankruptcy court in Delaware, resulting in a simultaneous resolution of claims in the bankruptcy and district courts for \$20 million.

# CONSUMER PROTECTION CLASS ACTIONS

## ATTORNEYS

Lynn Lincoln Sarko  
Gretchen Freeman Cappio  
Alison Chase  
Felicia Craick  
Juli Farris  
Kylie Fisher  
Alison Gaffney  
Laura Gerber  
Zack Gussin  
Dean N. Kawamoto  
Katherine Klein  
David Ko  
Cari Campen Laufenberg  
Andrew Lindsay  
Derek Loeser  
Eric Lombardo  
Ryan McDevitt  
Daniel Mensher  
Nathan Nanfelt  
Matthew Preusch  
Mark D. Samson  
Chris Springer  
Havila C. Unrein  
Jen Wagner  
Michael Woerner

For decades, consumers have trusted Keller Rohrback attorneys to protect them from harmful and unfair practices. Our firm is a leader in representing consumers in class action and complex litigation in diverse areas, including vehicles, children's products, food contamination, drugs, mortgage modifications, identity theft, and data breaches. Keller Rohrback currently represents a wide range of consumers, such as vehicle owners and lessees, parents, environmentalists, fishermen, employees, professors, doctors, and nurses.



Through decades of hard work, ingenuity, and creativity, Keller Rohrback has achieved meaningful results. These results impact not only our clients, but future consumers too. For example, homeowners now benefit from improved loan-modification practices at one of the country's biggest banks as a result of our advocacy.

Keller Rohrback attorneys are frequently featured speakers and presenters at prestigious legal education seminars on class actions, consumer protection, and data privacy.

## REPRESENTATIVE CASES

*In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig.*, MDL No. 2785 (D. Kan.)

Keller Rohrback serves as Plaintiffs' Co-Lead Counsel in this litigation regarding the marketing, pricing, and sale of EpiPen auto-injector devices in the United States. Plaintiffs alleged that defendants Mylan and Pfizer engaged in unfair and illegal activities that stifled competitors, allowing defendants to maintain their dominant market positions and increase the prices of EpiPen products by over 500%. These practices forced consumers to pay inflated and unnecessary costs for EpiPens—a device on which many lives depend. The Court certified two classes of consumers and payors against Defendants Mylan and Pfizer. Through separate settlements with the Mylan and Pfizer defendants, Class Counsel achieved settlements totaling \$609 million for the benefit of the classes.

*Jabbari v. Wells Fargo & Co.*, No. 15-2159 (N.D. Cal.)

Keller Rohrback filed a class action lawsuit against Wells Fargo alleging the bank victimized its customers by opening checking, savings and credit card accounts, and lines of credit without customers' authorization. Keller Rohrback negotiated a \$142 million settlement on behalf of consumers, which required Wells Fargo to refund fees charged to unauthorized accounts, compensate consumers for increased borrowing costs due to credit damage, and provide other substantial compensation.

# CONSUMER PROTECTION CLASS ACTIONS

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## REPRESENTATIVE CASES continued

### *White v. Symetra Assigned Benefits Serv. Co.*, No. 20-01866 (W.D. Wash.)

Plaintiffs brought this class action lawsuit on behalf of themselves and all others who, in settling underlying tort litigation, became the beneficiaries of a Symetra Life Insurance structured settlement annuity, and who then sold their future annuity payments to SABSCO or another Symetra affiliate. On August 3, 2022, Judge Marsha J. Pechman of the United States District Court for the Western District of Washington certified a nationwide class of structured settlement annuity holders who allege that certain business practices by Symetra Life Insurance and its affiliate Symetra Assigned Benefits Service Company ("SABSCO") violated RICO, the Washington Consumer Protection Act, civil conspiracy, unjust enrichment, and their contractual rights. The Court certified the following class: "All persons who are or were, at any time, annuitants of [a structured settlement annuity ("SSA")] that contemplated life contingent payments issued by Symetra and who subsequently sold to a Symetra affiliate the right to receive payments from that SSA in a factoring transaction." A Rule 23(f) appeal is pending before the United States Court of Appeals for the Ninth Circuit.

### *In re JPMorgan Chase Mort. Modification Litig.*, MDL No. 2290 (D. Mass.)

Keller Rohrback served as Co-Lead Counsel in this MDL, representing homeowners who attempted to obtain mortgage loan modifications from JPMorgan Chase and related entities. Plaintiffs alleged breach of contract and violations of consumer protection laws when Defendants failed to timely evaluate or approve mortgage modification applications of homeowners who had completed identified prerequisites. Keller Rohrback achieved a settlement for the class valued at over \$500 million.

### *In re Mattel, Inc., Toy Lead Paint Prods. Liab. Litig.*, MDL No. 1897 (C.D. Cal.)

Keller Rohrback served as Chair of the Executive Committee in this nationwide MDL against Mattel and Fisher-Price on behalf of purchasers of toys recalled because they were manufactured using lead paint and/or dangerous magnets. On behalf of Plaintiffs, Keller Rohrback achieved a settlement valued at approximately \$50 million.

### *Fox v. Iowa Health Sys.*, No. 18-327 (W.D. Wis.)

Plaintiffs filed this complaint against Iowa Health System (UnityPoint Health) on behalf of individuals in Wisconsin, Iowa, and Illinois whose protected health information was compromised as a result of data breaches that occurred on at least two separate occasions between November 2017 and March 2018. On July 25, 2019, the Court granted in part and denied in part Defendant's motion to dismiss. The parties have since reached a settlement, providing for credit monitoring and insurance services, reimbursement for out-of-pocket costs, and payment for time incurred as a result of the data breaches. The Court granted final approval of the settlement on March 4, 2021.

### *Ormond v. Anthem, Inc.*, No. 05-1908 (S.D. Ind.)

Anthem Insurance converted from a mutual company to a stock company on November 2, 2001. More than 700,000 former members of the mutual company sued Anthem, alleging that the cash compensation they received as a result of the demutualization was inadequate. After class certification and shortly before the start of trial, Keller Rohrback and co-counsel settled the action for \$90 million.

# CONSUMER PROTECTION CLASS ACTIONS

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## REPRESENTATIVE CASES continued

### *In re Arizona Theranos, Inc. Litig.*, No. 16-2138 (D. Ariz.)

In 2014, Theranos began pitching a revolutionary technology that it said could perform hundreds of health tests with a single pinprick of blood—and with fast, automated, and inexpensive results. Theranos teamed up with Walgreens to market the product and offer it in Walgreens stores. However, the vaunted technology did not work. Thousands of test results were invalidated or called into question. Theranos founder Elizabeth Holmes and COO Sunny Balwani have since been criminally convicted. The fraud received widespread media attention, including a popular book and documentary. The class here consists of an estimated 175,000 consumers in Arizona and California who were subject to the unreliable testing technology.

After nearly seven years of litigation, Keller Rohrback and co-lead counsel secured a \$44 million settlement with defendants in this matter to resolve class claims arising from the Theranos blood testing scandal. The preliminary approval order, signed by U.S. District Judge David G. Campbell on October 10, 2023, establishes a nonreversionary \$44 million common fund to provide consumers approximately double their out-of-pocket damages, and an additional \$1,000 (approximate) for members of the subclass who participated in Walgreens tiny blood draws.

### *Corona v. Sony Pictures Ent., Inc.*, No. 14-9600 (C.D. Cal.)

Keller Rohrback served as interim Co-Lead Counsel and Liaison Counsel in this case against Sony Pictures Entertainment, Inc. on behalf of former and current Sony employees affected by the company's highly publicized data breach. Plaintiffs alleged that Sony failed to secure and protect its computer systems, servers, and databases, resulting in the release of the named Plaintiffs and other class members' personal information. Keller Rohrback obtained a significant settlement for the class in October 2015, which was approved in April 2016.

### *Carlin v. DairyAmerica Inc.*, No. 09-00430 (E.D. Cal.)

In 2009, Plaintiffs brought suit alleging claims under federal and California state law. The class action complaint alleged that Defendants, DairyAmerica, Inc. and California Dairies, Inc., negligently and incorrectly reported dairy product prices to the National Agricultural Statistic Service, a division of the United States Department of Agriculture. As a result of this misreporting, prices for various grades of milk products were set lower than they should have been, inflating DairyAmerica's profits and depriving dairy farmers of tens of millions of dollars in income. On May 9, 2019, U.S. District Court Judge Anthony W. Ishii granted final approval to a \$40 million settlement.

### *Iacovelli v. SBTickets.com, LLC*, No. 15-1459 (Ariz. Super. Ct., Maricopa Cnty.)

Keller Rohrback filed a class action in Arizona state court on behalf of individuals who paid for, but did not receive, tickets to the 2014 Super Bowl (Super Bowl XLIX) from the ticket broker SBTickets. Despite purchasing tickets and receiving numerous representations that their tickets were guaranteed, SBTickets customers were told just days before the game, and in some instances, only hours before kickoff, that their ticket orders would not be fulfilled. The case was settled on favorable terms for the class notwithstanding the Defendant's insolvency and bankruptcy proceedings.

### Telephone Consumer Protection Act (TCPA) Cases (Wash. Super. Ct., King Cnty.)

Keller Rohrback prosecuted numerous class actions concerning the sending of unsolicited facsimiles in violation of the Telephone Consumer Protection Act and the Washington Consumer Protection Act, resulting in the issuance of eleven permanent injunctions and the recovery of over \$56 million on behalf of injured Plaintiffs.

# CONSUMER PROTECTION CLASS ACTIONS

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## REPRESENTATIVE CASES continued

### *In re Bisphenol-A (BPA) Polycarbonate Plastic Prods. Liab. Litig., MDL No. 1967 (W.D. Mo.)*

Keller Rohrback served on the Plaintiffs' Steering Committee in this MDL on behalf of purchasers of plastic baby bottles and "sippy" cups which contained the chemical bisphenol-A (BPA). The action was favorably settled.

### *MultiCare Health System, Inc., No.18-2-08055-5 (Pierce Cnty. Wash. Super. Ct.)*

Keller Rohrback and co-counsel represent individuals in Washington against MultiCare Good Samaritan Hospital ("MultiCare") in a lawsuit that alleges MultiCare negligently hired and inadequately supervised an emergency department nurse. The trial court certified two classes: the Weberg Treatment Class; and the General Treatment Class. MultiCare subsequently filed a Motion for Summary Judgment seeking the dismissal of all claims of the General Treatment Class, which the trial court granted. The trial court then denied Plaintiffs' Motion for Reconsideration. Plaintiffs appealed the trial court's decision, however the Washington Court of Appeals affirmed the dismissal. Plaintiffs petitioned the Washington Supreme Court to review the Court of Appeals' decision. On April 5, 2023, the Washington Supreme Court granted Plaintiffs' petition. The parties filed additional briefs in the Washington Supreme Court, which heard oral argument in the appeal and has taken the appeal under consideration and will issue a decision in due course.

### *In re Apple Inc. Device Performance Litig., MDL No. 2827 (N.D. Cal.)*

Keller Rohrback served as Co-Chair of the Executive Committee for Offensive Discovery and also as the ESI Coordinator in this consolidated action concerning IOS software installed on certain Apple iPhone devices. The Plaintiffs asserted claims that this software diminished the performance of those devices. Numerous cases were consolidated before Judge Edward J. Davila in the Northern District of California in April 2018. After several years of vigorous litigation, the parties reached a settlement of up to \$500 million in February 2020. The Court held a final approval hearing on December 4, 2020 and approved the settlement on March 3, 2023. Although the settlement was subsequently appealed, all appeals were dismissed as of September 2023.

### *Brotherson v. Professional Basketball Club, L.L.C., No. 07-1787 (W.D. Wash.)*

Keller Rohrback represented Seattle SuperSonics season ticket holders who renewed their 2007-2008 season ticket packages before the team was relocated to Oklahoma City. After Plaintiffs prevailed on class certification and defeated summary judgment, the parties negotiated a significant settlement that returned substantial sums to the class.

# DATA PRIVACY LITIGATION



## ATTORNEYS

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**Keller Rohrback is a pioneer in representing consumers and employees who have had their personal information breached.** Our Data Privacy Litigation team has an established reputation of successful data breach litigation in federal and appellate courts.

Our success in this area includes the groundbreaking case, *Krottner v. Starbucks Corp.* Nos. 09-35823, 09-35824 (W.D. Wash.), where the Ninth Circuit recognized that Plaintiffs-Appellants' injury caused by a stolen laptop containing their personal information sufficiently satisfied the Article III standing requirement. This decision established an important legal precedent that formed a building block for privacy litigation under federal law.

Keller Rohrback's Data Privacy Litigation team has made headlines in various publications with their work featured in *Variety*, the *Los Angeles Times*, *The Wall Street Journal*, Law.com, CNN.com, Bloomberg.com, NPR.org, CNBC.com, Nasdaq.com, Reuters.com and *The Guardian*. We have also been featured on broadcasts such as CNN and NPR's Morning Edition.

## REPRESENTATIVE CASES

### *In re Facebook, Inc. Consumer Priv. User Profile Litig.*, MDL No. 2843 (N.D. Cal.)

Keller Rohrback partner Derek Loeser serves as co-lead counsel in this high profile litigation related to the 2018 news that the data mining firm Cambridge Analytica had harvested information from up to 87 million Facebook users. Plaintiffs allege that Facebook granted numerous third parties access to their Facebook content and information without their consent, and that Facebook failed to adequately monitor the third parties' access to, and use of, that information.

Facebook's motion to dismiss was denied, and after several years of hard-fought litigation, in which Plaintiffs obtained extensive discovery regarding Facebook's data sharing practices, including millions of pages of discovery and over 45 depositions, the parties reached a \$725 million settlement – the largest ever privacy class action settlement in the United States. The Court held the final approval hearing on September 7, 2023 and granted final approval of the settlement on October 10, 2023.

### *Corona v. Sony Pictures Ent., Inc.*, No. 14-9600 (C.D. Cal.)

Keller Rohrback served as Interim Co-Lead Counsel and Liaison Counsel in this case against Sony Pictures Entertainment, Inc. on behalf of former and current Sony employees affected by the company's highly publicized data breach. Plaintiffs alleged that Sony failed to secure and protect its computer systems, servers, and databases, resulting in the release of the named Plaintiffs and other class members' personal information. Keller Rohrback obtained a significant settlement for the class in October 2015, which was approved in April 2016.

# DATA PRIVACY LITIGATION



## REPRESENTATIVE CASES continued

### *Fox v. Iowa Health Sys.*, No. 18-327 (W.D. Wis.)

Plaintiffs filed this complaint against Iowa Health System (UnityPoint Health) on behalf of individuals in Wisconsin, Iowa, and Illinois whose protected health information was compromised as a result of data breaches that occurred on at least two separate occasions between November 2017 and March 2018. On July 25, 2019, the Court granted in part and denied in part Defendant's motion to dismiss. The parties have since reached a settlement, providing for credit monitoring and insurance services, reimbursement for out-of-pocket costs, and payment for time incurred as a result of the data breaches. The Court granted final approval of the settlement on March 4, 2021.

### *In re Experian Data Breach Litig.*, No. 15-1592 (C.D. Cal.)

In October 2015, Experian announced a nationwide data breach affecting an estimated 15 million consumers. Keller Rohrback was appointed to serve on the Plaintiffs' Steering Committee. After three years of litigation, a settlement was reached valued at more than \$150 million, providing credit monitoring and insurance services, reimbursement for out-of-pocket costs, and payment for time incurred as a result of the data breach. The Court granted final approval of the settlement in May 2019.

### *In re Blackbaud, Inc., Customer Data Sec. Breach Litig.*, MDL No. 2972 (D.S.C.)

Keller Rohrback partner Gretchen Freeman Cappio serves as Chair of the Plaintiffs' Steering Committee in this multidistrict litigation arising out of the 2020 Blackbaud Data Breach. Plaintiffs' consolidated complaint, filed in the District of South Carolina, alleges that Blackbaud's clients' user data was exposed during a breach that lasted months, and Blackbaud further delayed Plaintiffs' ability to protect their data by their failure to announce the breach, despite knowledge of it, for months. Plaintiffs' claims survived Blackbaud's three motions to dismiss. On December 16, 2022, Plaintiffs filed their Motion for Class Certification with respect to six claims (including alleged violations of California, Florida and New York statutes). Judge Anderson ordered that Plaintiffs' remaining claims shall be stayed until the six identified claims are resolved.

### *Krottner v. Starbucks Corp.*, 628 F.3d 1139 (9th Cir. 2010)

In 2008, Keller Rohrback filed a class action on behalf of approximately 97,000 Starbucks employees whose unencrypted private information was contained on a stolen Starbucks laptop. Plaintiffs' claims included negligence and breach of contract for failing to protect employees' personally identifiable information. The district court granted Starbucks's motion to dismiss, but Keller Rohrback successfully appealed the decision as to standing, resulting in the Ninth Circuit establishing a new legal precedent that the theft of PII constituted injury under Article III.

# DATA PRIVACY LITIGATION



## REPRESENTATIVE CASES continued

### *In re T-Mobile Customer Data Sec. Breach Litig., MDL No. 3019 (W.D. Mo.)*

Keller Rohrback filed class action complaints on behalf of the approximately 76.6 million T-Mobile customers whose data was exposed in the August 2021 Data Breach, alleging that T-Mobile failed to protect data of customers, as well as consumers who applied for credit with T-Mobile, leading to the exposure of information including their Social Security numbers, names, and dates of birth. Cases concerning the breach were consolidated for pretrial proceedings by the JPML in December 2021. In February 2022, Keller Rohrback, Stueve Siegel Hanson LLP, and Hausfeld LLP were appointed Co-Lead Interim Class Counsel. The parties reached a settlement, including a \$350 million settlement fund and a \$150 million spending commitment to improve T-Mobile's data security and address vulnerabilities that resulted in the Data Breach, in July 2022. The Court held a final fairness hearing on January 20, 2023 and granted final approval of the settlement on June 29, 2023.

### *In re 21st Century Oncology Customer Data Sec. Breach Litig., MDL No. 2737 (M.D. Fla.)*

In 2016, Keller Rohrback filed three proposed class action complaints against the Florida-based healthcare provider 21st Century Oncology concerning an October 2015 data breach impacting 2.2 million class members. All cases concerning the breach were consolidated in October 2016 for coordinated pretrial proceedings. On November 18, 2016, Keller Rohrback and Robinson Calcagnie were appointed Interim Co-Lead Counsel. On March 11, 2019, the Court entered its order denying the Defendants' motion to dismiss the amended consolidated complaint. In June 2020, the parties reached a settlement in principle, valued at more than \$16 million, providing for credit monitoring and insurance services, reimbursement for out-of-pocket costs, and payment for time incurred as a result of the data breach. The Court granted final approval of the settlement on June 25, 2021.



# EMPLOYEE BENEFITS

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**Keller Rohrback is the preeminent firm for Employee Retirement Income Security Act of 1974 (ERISA) and other employee benefit class action and complex litigation.** Our firm is a pioneer of ERISA class action litigation, with over a billion dollars of pension and health benefits recovered for our clients. Keller Rohrback has played a major role in developing the law and establishing that ERISA's protections apply to all investments in company-sponsored retirement plans, as well as to benefits in health and welfare plans. Keller Rohrback's attorneys are also well versed in ERISA preemption matters and have a long history of supporting city and state efforts to fill gaps in providing health and retirement benefits to their constituents.

Keller Rohrback is routinely appointed lead or co-lead counsel in major employee benefit class actions. Our work in this complex and rapidly developing area has been praised by our clients, our co-counsel, and federal courts. Managing a complex, large-scale employee benefit case requires knowledge of employee benefit, securities, accounting, corporate, bankruptcy, and class action law. Keller Rohrback has excelled in these cases by developing a deep understanding of ERISA and by drawing on our expertise in numerous related practice areas.

Keller Rohrback has a very deep bench in ERISA matters. Lawyers at Keller Rohrback have testified before Congress, served as editors of numerous employee benefit books and manuals, and written scholarly ERISA articles, amicus briefs, and comments to regulatory agencies overseeing ERISA plans. We are frequently featured speakers and presenters at prestigious legal education seminars on employee benefit class actions and ERISA. We have also served as fiduciaries and mediators.

We are involved in all aspects of ERISA litigation, from administrative reviews to district court trials to circuit court appeals to handling cases and filing amicus briefs in the U.S. Supreme Court. We are proud of our history, but we don't rest on our laurels, we listen carefully to employees' and retirees' stories and craft cases that enforce ERISA's longstanding duties—which are the highest known to the law.

## REPRESENTATIVE CASES

### *In re IKON Off. Sols., Inc. Sec. Litig.*, MDL No. 1318 (E.D. Pa.)

The wave of 401(k) company stock cases began with *Whetman v. IKON Office Solutions, Inc.* No. 98-89 (D. Utah). In a first-of-its-kind complaint, we alleged that company stock was an imprudent investment for IKON's 401(k) plan, that the fiduciaries of the plan failed to provide complete and accurate information about company stock to the participants, and that they failed to address their conflicts of interest. This case resulted in ground-breaking opinions in the ERISA 401(k) area of law on motions to dismiss, class certification, approval of securities settlements with a carve-out for ERISA claims, and approval of ERISA settlements providing a total recovery to the Plans of \$111 million. Judge Marvin Katz granted final approval of the settlement in 2002.



# EMPLOYEE BENEFITS

## REPRESENTATIVE CASES continued

### *In re Enron Corp. Sec., Derivative ERISA Litig., MDL No. 1446 (S.D. Tex.)*

Keller Rohrback served as Co-Lead Counsel in this class action. After groundbreaking motions to dismiss decisions and several years of discovery, Keller Rohrback negotiated four separate settlements with different groups of Defendants, resulting in recoveries of over \$264 million. Judge Melinda Harmon approved the fifth and final settlement on February 23, 2007.

### *Reinhart v. Lucent Techs. Inc., No. 01-3491 (D.N.J.)*

Keller Rohrback served as Co-Lead Counsel in this class action brought on behalf of participants and beneficiaries of the Lucent defined contribution plans who invested in Lucent stock. A settlement providing injunctive relief and the payment of \$69 million to the plan was approved by Judge Joel Pisano on December 12, 2003.

"[Keller Rohrback] has performed an important public service in this action and has done so efficiently and with integrity. . . . [Keller Rohrback] has also worked creatively and diligently to obtain a settlement from WorldCom in the context of complex and difficult legal questions . . . [Keller Rohrback] should be appropriately rewarded as an incentive for the further protection of employees and their pension plans not only in this litigation but in all ERISA actions." *In re WorldCom, Inc. ERISA Litig.*, No. 02-4816, 2004 WL 2338151, \*10 (S.D.N.Y. Oct. 18, 2004) (Cote, J.).

### *In re WorldCom, Inc. ERISA Litig., No. 02-4816 (S.D.N.Y.)*

Keller Rohrback served as Lead Counsel in this class action filed in the Southern District of New York on behalf of participants and beneficiaries of the WorldCom 401(k) Salary Savings Plan who invested in WorldCom stock. Settlements providing for injunctive relief and payments of over \$48 million to the plan were approved by Judge Denise Cote on October 26, 2004 and November 21, 2005.

### *In re AIG ERISA Litig., No. 04-9387 (S.D.N.Y.)*

Keller Rohrback served as Co-Lead Counsel in this class action filed in the Southern District of New York on behalf of participants and beneficiaries of the AIG 401(k) retirement plans who invested in AIG stock. A settlement providing for injunctive relief and the payment of \$25 million to the plans was approved by Judge Kevin T. Duffy on October 8, 2008.

### *Alvidres v. Countrywide Fin. Corp., No. 07-5810 (C.D. Cal.)*

Keller Rohrback served as Lead Counsel in this class action filed on behalf of participants and beneficiaries of the Countrywide 401(k) plan who invested in Countrywide stock. A settlement providing for injunctive relief and the payment of \$55 million to the plan was approved by Judge John F. Walter on November 16, 2009.

### *In re Global Crossing Sec. & ERISA Litig., No. 02-7453 (S.D.N.Y.)*

Keller Rohrback served as Co-Lead Counsel in this class action filed in the Southern District of New York on behalf of participants and beneficiaries of the GX defined contribution plans who invested in GX stock. A settlement providing injunctive relief and a payment of \$79 million to the plan was approved by Judge Gerard E. Lynch on November 24, 2004.

# EMPLOYEE BENEFITS



## REPRESENTATIVE CASES continued

### *In re Merrill Lynch & Co., Inc. Sec., Derivative & ERISA Litig.*, No. 07-10268 (S.D.N.Y.)

Keller Rohrback served as Co-Lead Counsel in this class action filed in the Southern District of New York on behalf of participants and beneficiaries of Merrill Lynch's defined contribution plans who invested in Merrill Lynch stock. A settlement providing injunctive relief and a payment of \$75 million to the plans was approved by Judge Jed S. Rakoff on August 4, 2009.

### *In re Washington Mut. Inc., Sec., Derivative & ERISA Litigation*, No. 07-1874 (W.D. Wash.)

Keller Rohrback served as Co-Lead Counsel in this ERISA breach of fiduciary duty class action filed on behalf of participants and beneficiaries in the company's retirement plans who invested in Washington Mutual stock. On January 7, 2011, Judge Marsha J. Pechman granted final approval of the \$49 million settlement in the ERISA action.

### *Hodges v. Bon Secours Health Sys., Inc.*, No. 16-1079 (D. Md.)

Keller Rohrback served as co-counsel in this lawsuit alleging that Bon Secours Health System's seven defined benefit pension plans were improperly claiming an exemption from ERISA as "church plan(s)." In 2017, the Court granted final approval of a settlement providing for equitable relief, plus payment of over \$98 million to the Plans.

### *In re Bakery & Confectionery Union & Indus. Int'l Pension Fund Pension Plan*, No. 11-1471 (S.D.N.Y.)

Keller Rohrback and co-counsel filed this action alleging that an amendment to the Bakery & Confectionery Union & Industrial Pension Fund Pension Plan violated ERISA's anti-cutback provisions. Plaintiffs prevailed at both the district court and appellate levels, and Defendants implemented adjustments to reinstate the benefits due to eligible employees.

### *Palmason v. Weyerhaeuser Co.*, No. 11-695 (W.D. Wash.)

Keller Rohrback and co-counsel filed this action alleging that Weyerhaeuser and other fiduciaries caused its pension plan to engage in a risky investment strategy involving alternative investments and derivatives, causing the Plans' master trust to become underfunded. A settlement was reached for injunctive relief on behalf of the Plans' participants and beneficiaries.

### *In re State Street Bank & Tr. Co. ERISA Litig.*, No. 07-8488 (S.D.N.Y.)

Keller Rohrback served as Co-Lead Counsel in this ERISA breach of fiduciary duty class action filed in the Southern District of New York brought on behalf of participants and beneficiaries in the company's retirement plans. A settlement providing a payment of \$89.75 million was approved by Judge Richard J. Holwell on February 19, 2010.

### *In re Regions Morgan Keegan ERISA Litig.*, No. 08-2192 (W.D. Tenn.)

Keller Rohrback served as Co-Lead Class Counsel in this ERISA breach of fiduciary duty class action on behalf of participants and beneficiaries in the company's retirement plans as well as customer plans for which Regions served as a fiduciary. A settlement providing injunctive relief and a payment of \$22.7 million was approved by Judge Samuel H. Mays, Jr.

### *Gates v. United Healthcare Ins. Co.*, No. 11-3487 (S.D.N.Y.)

Keller Rohrback served as counsel in this lawsuit that alleged Defendants violated ERISA through use of an "estimating policy" which caused Medicare eligible participants and beneficiaries to be paid lower benefits than required by the plan in which they participate for services provided by out-of-network providers. Following an initial dismissal, Keller Rohrback successfully appealed to the Second Circuit Court of Appeals, and the district court then agreed with Plaintiff.

# EMPLOYEE BENEFITS



## REPRESENTATIVE CASES continued

### *Madoff Direct & Feeder Fund Litigation: Hartman v. Ivy Asset Mgt. L.L.C.*, No. 09-8278 (S.D.N.Y.)

Keller Rohrback successfully litigated this direct action on behalf of the trustees of seventeen employee benefit plans damaged by the Madoff Ponzi scheme. The action alleged that Ivy Asset Management and J.P. Jeanneret Associates, Inc. breached their fiduciary duties under ERISA by causing the plans to be invested directly or indirectly in Madoff funds. Keller Rohrback obtained a settlement of over \$219 million in this case and related actions, including claims brought by the United States Secretary of Labor and the New York Attorney General.

### *Griffith v. Providence Health & Servs.*, No. 14-1720 (W.D. Wash.)

Keller Rohrback served as Class Counsel in this lawsuit alleging that the Providence Health & Services Cash Balance Retirement Plan was improperly claiming an exemption from ERISA as a "church plan." In 2017, the Court granted final approval of a class settlement of \$350 million to the Plan and a guarantee that the Plan's trust will have sufficient assets to pay benefits as they come due; and additional administrative protections and other equitable relief for Plan participants.

### *Hunter v. Berkshire Hathaway, Inc.*, No. 14-663 (N.D. Tex.)

Keller Rohrback was class counsel in a case under ERISA against Berkshire Hathaway Inc. Plaintiffs alleged that, when Berkshire Hathaway acquired a subsidiary ("Acme") in 2000, Berkshire Hathaway made promises in a merger agreement that amended Acme's pension and 401(k) plans, and that Berkshire Hathaway violated ERISA and those promises when it allegedly caused Acme to freeze accrual of pension benefits and decrease the employer's matching contribution to the 401(k) plan. On May 26, 2020, the Court granted final approval of the parties' Class Action Settlement Agreement, providing the classes an estimated \$10 million in value and resolving Plaintiffs' ERISA claims with no admission of liability by Berkshire Hathaway.

### *Lann v. Trinity Health Corp.*, No. 14-2237 (D. Md.)

Keller Rohrback served as Class Counsel in this lawsuit alleging that Trinity Health Corporation and Catholic Health East were improperly claiming an exemption from ERISA as "church plan." In 2017, the Court granted final approval of a settlement providing for equitable relief, plus payment of over \$76 million to the Plan.

### *Spires v. Schools*, No. 16-616 (D.S.C.)

Keller Rohrback and co-counsel represented participants and beneficiaries in the Piggly Wiggly Employee Stock Ownership Plan ("ESOP"). The complaint alleged that Defendants breached their fiduciary duties by doing nothing as the value of the Piggly Wiggly stock plummeted by nearly 90%. A settlement providing a payment of between \$7.675 million and \$8.65 million was approved by Judge Richard M. Gergel.

### *Braden v. Wal-Mart Stores, Inc.*, No. 08-3109 (W.D. Mo.)

Keller Rohrback served as Lead Counsel in this class action on behalf of participants and beneficiaries of Wal-Mart's 401(k) plan who invested in retail class mutual funds that charged excessive fees to participants and paid hidden fees to the plan's trustee and recordkeeper, Merrill Lynch. The complaint alleged that the revenue sharing and other fees were excessive in light of the size of the plan, and that these fees were not properly disclosed. Our attorneys secured the *first appellate victory* in a fee case of this kind when they obtained an order from the Eighth Circuit reversing dismissal and articulating the pleading standard for process-based breaches of ERISA, see *Braden v. Wal-Mart Stores Inc.*, 588 F.3d 585 (8th Cir. 2009). A settlement that included \$13.5 million along with injunctive relief was approved by Judge Gary A. Fenner.



# EMPLOYEE BENEFITS

## REPRESENTATIVE CASES continued

### *Beach v. JPMorgan Chase Bank*, No. 17-563 (S.D.N.Y.)

Plaintiffs alleged that JPMorgan Chase Bank ("Chase") breached its fiduciary duties to the participants and beneficiaries of the JPMorgan Chase 401(k) Savings Plan ("Plan") in violation of ERISA by, among other things, failing to prudently and loyally manage the Plan's assets by selecting and retaining unduly expensive Core Funds and Target Date Funds as investment options in the Plan and by engaging in prohibited transactions as a result of conflicts of interest. On October 7, 2020, Judge Jesse M. Furman granted final approval of the \$9 million settlement of the action.

### *ERISA Indus. Comm. v. City of Seattle*, No. 18-1188 (W.D. Wash.)

Keller Rohrback was co-counsel (along with the City Attorney) in defending a Seattle ordinance that mandates that large hotels pay their employees additional compensation to allow them to better afford health care. A nationwide employer association brought suit claiming that the ordinance is preempted by ERISA. The United States District Court granted the City's motion to dismiss and the district court's decision was upheld on appeal. On November 21, 2022, the U.S. Supreme Court denied a petition for certiorari, thereby ending efforts to invalidate the City ordinance.

### *Rollins v. Dignity Health*, No. 13-1450 (N.D. Cal.)

Keller Rohrback served as co-counsel in this lawsuit alleging that the Dignity Health Pension Plan was improperly claiming an exemption from ERISA as a "church plan." In 2022, the Court granted final approval of a class settlement in excess of \$100 million to the Plan, additional minimum funding amounts paid into the Plan trust over several years, non-monetary changes, and certain equitable protections for Plan participants that are comparable to some of ERISA's key protections.

"The Court finds that . . . Keller Rohrback[] is experienced and qualified counsel who is generally able to conduct the litigation as lead counsel on behalf of the putative class. Keller Rohrback has significant experience in ERISA litigation, serving as co-lead counsel in the Enron ERISA litigation, the Lucent ERISA litigation, and the Providian ERISA litigation, and experience in complex class action litigation in other areas of law" Order at 4, *In re Williams Cos. ERISA Litig.*, No. 02-153 (N.D. Okla. Oct. 28, 2002) (Holmes, J.).

### *Hoffman v. United Airlines, Inc.*, 21-06395 (N.D. Ill.)

Keller Rohrback and co-counsel represent former United employees in this class action lawsuit that alleges United Airlines ("United") violated ERISA or Illinois state law with respect to promised severance benefits. Plaintiffs seek payment of benefits and all other relief and damages due them under ERISA on behalf of themselves and other similarly situated former employees of United. In the alternative, Plaintiffs assert claims on behalf of themselves and the class under state law for breach of contract and seek specific performance and all other available relief in law and equity.

# ENVIRONMENTAL LITIGATION



## ATTORNEYS

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**Attorneys in Keller Rohrback's Complex Litigation Group have successfully represented individuals, class members, municipalities, and nonprofit organizations in complex and critical environmental litigation.** In cases involving oil spills, mishandled hazardous waste, contaminated consumer products, and industrial pollution, Keller Rohrback works to protect human health and the environment. The firm combines its unparalleled experience in consumer protection and its deep knowledge of environmental law, making Keller Rohrback a worldwide leader in litigation to safeguard our environment and the people and animals that rely on it.

## REPRESENTATIVE CASES

### PCB Litigation Against Monsanto Company on Behalf of State and Local Governments

Keller Rohrback has been retained by numerous state and local governments to pursue claims against Monsanto for the long-lasting and devastating impacts that Monsanto's polychlorinated biphenyls ("PCBs") have inflicted on fish, wildlife, ecosystems, and communities. Monsanto was the sole manufacturer of PCBs in the United States, selling over 1.4 billion pounds of these highly persistent and toxic chemicals. Although the manufacture of PCBs has been banned since the late 1970s, PCBs continue to contaminate land, water, and nearly all living things. By pursuing these cases against the Monsanto defendants, Keller Rohrback is working to hold Monsanto responsible for the environmental contamination and degradation it has inflicted upon communities across the United States for generations.

#### *Oregon v. Monsanto Co., No. 18-540 (Or. Cir. Ct., Multnomah Cnty.)*

Oregon appointed Keller Rohrback to represent the State in this landmark case seeking to hold Monsanto responsible for the harm its Polychlorinated Biphenyls ("PCBs") have caused to Oregon's environment, including its waters and wildlife. Keller Rohrback, together with co-counsel Stoll Berne, filed the complaint in 2018. On December 15, 2022, Monsanto agreed to pay \$698 million to the State of Oregon to resolve the State's claims.

#### *Delaware v. Monsanto Co., No. N21C-09-179 MMJ CCLD (Del. Super. Ct., New Castle Cnty.)*

Keller Rohrback filed the State of Delaware's Complaint on September 22, 2021, in the Superior Court of the State of Delaware. Defendants filed their Motion to Dismiss on December 17, 2021, and upon conclusion of briefing and oral argument, the court granted Defendants' Motion. The State appealed the Superior Court's decision to the Delaware Supreme Court, which has now reversed the Superior Court and ruled in favor of the State of Delaware on the issues of public nuisance and trespass to lands directly owned by the State. In its opinion, the Delaware Supreme Court ruled that the "crux of the issue" was that the Monsanto defendants, as a manufacturer of PCBs, can be held liable after their PCBs were sold to third parties whose activities released the PCBs into the environment. By order dated July 10, 2023, the case has now been remanded back to the Delaware Superior Court for further proceedings.

# ENVIRONMENTAL LITIGATION



## OTHER REPRESENTATIVE CASES

### *Maryland v. Monsanto Co.*, No. 24C21005251 (Md. Cir. Ct., Baltimore City)

Keller Rohrback filed a complaint on behalf of The State of Maryland against Monsanto in November 2021. In May 2022, the Court denied Monsanto's Motion to Dismiss and the case is in discovery.

### *City of Seattle v. Monsanto Co.*, No. 16-107 (W.D. Wash.)

Keller Rohrback represents the City of Seattle in its public nuisance case against Monsanto, whose PCBs contaminate the Lower Duwamish Waterway. Discovery, which closed last year, required review of hundreds of thousands of documents. Keller Rohrback, working closely with the City, took or defended over a dozen fact and 30(b)(6) depositions. Expert discovery is also complete and *Daubert* motions filed. The parties filed competing motions for summary judgment before Judge Jones and Magistrate Judge Peterson. Magistrate Judge Peterson has ruled in favor of the City of Seattle on its motion, however, Judge Jones has yet to rule on the Defendants' Motion for Summary Judgment at this time. At a recent Status Conference, Judge Jones vacated the trial schedule and ordered the parties to file a Status Report on October 27, 2023.

### *Andrews v. Plains All Am. Pipeline L.P.*, No. 15-4113 (C.D. Cal.)

Keller Rohrback serves as Co-Lead Counsel representing fishers, property owners and others affected by the May 2015 spill from Plains All American's Line 901 pipeline in Santa Barbara County. The oil spill contaminated pristine beaches, closed critical fishing grounds, and damaged natural resources throughout the region. Keller Rohrback sought compensation for victims of the spill for their present and future damages and to hold Plains accountable for the harm it caused to the fishers and property owners. In May 2022 a \$230 million settlement was reached, awarding \$184 million to the Fisher Class and \$46 million to the Property Class.

### *Resendez v. Precision Castparts Corp.*, No. 16-16164 (Or. Cir. Ct. Multnomah Cnty.)

Keller Rohrback represented a class of homeowners and residents in Multnomah and Clackamas County who sought relief from Precision Castparts Corp. for the company's heavy metal particulate air pollution that clouded their neighborhood and unreasonably interfered with their real property rights. Plaintiffs prevailed on the defendants' motions to dismiss and for summary judgment. In May 2022, the Court granted Final Approval of a Class Action Settlement, which included a \$12.5 million settlement fund for cash payments to class members, and millions of additional dollars in enhanced pollution controls at the Precision Castparts facilities in Southeast Portland.

### *Meeker v. Bullseye Glass Co.*, No. 16-7002 (Or. Cir. Ct., Multnomah Cnty.)

Keller Rohrback successfully negotiated a classwide settlement with Bullseye Glass Co. ("Bullseye") for contaminating a residential neighborhood in Portland, Oregon, by emitting hazardous levels of arsenic, cadmium, chromium, and other toxic materials from its glass-making facility for years. Despite using thousands of pounds a year of dangerous heavy metals, Bullseye Glass had used no pollution control technology for more than four decades. Using innovative air and soil monitoring, Keller Rohrback helped this neighborhood to protect itself and hold Bullseye accountable for the harm it caused. The final settlement approved by the Court included a two-year air monitoring program, ongoing use of pollution control devices by the defendant, and significant monetary payments to class members, including reimbursement for air emissions-related expenses.

# ENVIRONMENTAL LITIGATION



## OTHER REPRESENTATIVE CASES continued

### *Southern California Gas Leak Cases, No. JCCP 4861 (Cal. Super. Ct., Los Angeles Cnty.)*

This action concerns one of the worst human-caused environmental disasters in this nation's history. These consolidated cases stem from the massive blowout at a natural gas storage well at the Aliso Canyon Natural Gas Storage Facility beginning in 2015. The blowout raged out of control for over 100 days, spewing huge volumes of natural gas, its constituents, and other toxic chemicals into the surrounding community. When the blowout was finally contained, it had released a volume of methane gas that caused a 25% increase in all of California's greenhouse gas emissions in 2015. Over 22,000 residents living within a 5-mile radius of the blowout were forced from their homes when their properties and schools were contaminated with a soup of toxic chemicals and known carcinogens. In April 2022, the Court granted final approval of a class action settlement to resolve the property-related claims of these residents pending before the Superior Court of California, County of Los Angeles. Keller Rohrback served on the Plaintiffs' Steering Committee for the Class Action Track for this action.

### *Clean Water Act Enforcement – General Magnaplate*

In partnership with the non-profit Environmental Defense Center, one of the oldest environmental organizations in the United States, Keller Rohrback helped reach a final settlement with General Magnaplate California to control the significant pollutants the company discharged via stormwater into the fragile Santa Clara River. Under the settlement, General Magnaplate agreed to implement enhanced storm water management measures at its electroplating facility to ensure that storm water runoff does not contain high levels of pollutants that pose a threat to human health and the environment. These measures include installing effective treatment technology and repairing paved surfaces. In addition, General Magnaplate will contribute \$15,000 to the Rose Foundation for

Communities and the Environment to be used to improve the water quality in the Santa Clara River watershed.

### *In re Chrysler-Dodge-Jeep EcoDiesel Mktg., Sales Pracs., & Prods. Liab. Litig., MDL No. 2777 (N.D. Cal.)*

From the outset, Keller Rohrback played a major role in this multidistrict litigation, representing consumers nationwide who alleged that Fiat Chrysler used an emissions defeat device in over 100,000 Ram 1500 and Jeep Grand Cherokee diesel trucks and SUVs. Keller Rohrback Managing Partner Lynn Sarko was appointed by the Court to the Plaintiffs' Steering Committee leading this case, and Keller Rohrback attorneys took an active role in discovery and served on the negotiating team that achieved and implemented a settlement worth over \$307 million. The settlement, involving both Fiat Chrysler and supplier Bosch, provided owners and lessees of the affected vehicles with substantial cash payments in addition to government-approved emissions repairs and valuable extended warranty protection.

### *In re Volkswagen "Clean Diesel" Mktg., Sales Pracs., and Prods. Liab. Litig., No. 3:15-md-02672 (N.D. Cal.)*

Keller Rohrback filed the first multi-Plaintiff complaint against Volkswagen on September 20, 2015, two days after the defeat device scheme came to light. Keller Rohrback represented consumers nationwide who alleged they were damaged by Volkswagen's fraudulent use of an emissions "defeat device" in over 500,000 vehicles in the United States. Keller Rohrback Managing Partner Lynn Sarko served on the Plaintiffs' Steering Committee for this national litigation. Lynn Sarko and partner Gretchen Freeman Cappio served on the negotiating team for the \$15 billion class action settlement for 2.0-liter vehicles, the largest auto-related consumer class action in U.S. history. Keller Rohrback played a similar role in reaching and implementing similar settlements with Volkswagen and Bosch regarding approximately 100,000 3-liter vehicles.

# ENVIRONMENTAL LITIGATION



## OTHER REPRESENTATIVE CASES continued

### *In re Exxon Valdez*, No. 89-95 (D. Alaska)

Keller Rohrback was trial counsel representing fishermen, landowners, and businesses located in Prince William Sound in their action against Exxon to recover damages caused by the Exxon Valdez oil spill. A federal jury awarded a \$5 billion judgment in favor of Keller Rohrback clients. At the time, it was the largest punitive damages verdict in U.S. history. Additional claims against the Alyeska Pipeline Service Company were settled for \$98 million. More than 25 years after the tragic spill, the Exxon Valdez spill is still considered one of the most devastating human-caused environmental disasters. In addition, Keller Rohrback Managing Partner Lynn Sarko was appointed to serve as the Administrator of the Exxon and Alyeska Qualified Settlement Funds.

### *Wishtoyo Found. v. Magic Mountain LLC*, No. 12-5600 (C.D. Cal.)

Keller Rohrback worked with a team of environmental lawyers on behalf of Los Angeles-based clients who successfully negotiated a groundbreaking settlement with Six Flags Magic Mountain to address its stormwater pollution discharged to the Santa Clara River. The settlement significantly reduced the amount of heavy metals and other pollutants entering the Santa Clara from the amusement park by requiring the facility to install state-of-the-art technology, develop and implement a comprehensive site management plan, and fully comply with the Clean Water Act. Additional monetary payments made by Six Flags as a result of the case are being used to perform critical habitat restoration and mitigation projects along the Santa Clara River.

### *Mapleton Groundwater Litig. (Ruff v. Ensign-Bickford Indus.)*, No. 99-120B (D. Utah)

Keller Rohrback attorneys successfully litigated a series of groundwater contamination suits against multiple international Defendants accused of releasing hazardous chemicals into the watershed over six decades. The suits were brought on behalf of individuals and their families against Defendants who owned a former explosives plant in Mapleton, Utah. The Plaintiffs alleged that improper waste disposal caused contaminants to seep into the groundwater and that the chemicals caused property damage and non-Hodgkin's lymphoma cancers affecting numerous residents. The matter involved complex scientific issues related to hydrogeology, chemical migration pathways, aquifer dynamics, clean-up methods, and contaminant degradation. The litigation resolved prior to trial after lengthy evidentiary hearings at which Plaintiffs received favorable Daubert rulings.

# GOVERNMENTS AND MUNICIPALITIES



## ATTORNEYS

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Erin Riley

Adam Rosenberg

Michael Woerner

Keller Rohrback has successfully represented government entities in a wide range of complex litigation. Whether fighting environmental contamination, combating antitrust activities, or recovering hundreds of millions of dollars from misleading investments, Keller Rohrback knows how to work effectively and collaboratively with and for government clients. Our unparalleled experience in consumer protection, antitrust and other areas of law—plus our hands-on, cooperative approach to litigation—have made our firm an effective partner for governments, sovereign nations and government-sponsored entities.

## REPRESENTATIVE CASES

### *In re JUUL Labs, Inc., Mktg., Sales Pracs., and Prods. Liab. Litig., MDL No. 2913 (N.D. Cal.)*

Keller Rohrback serves as Co-Lead Counsel in the JUUL MDL, in which it represents county governments, a sovereign tribe, and school districts bringing public nuisance claims against JUUL and Altria for creating the youth vaping crisis. Keller Rohrback also represents, along with co-counsel, the State of Alaska in similar claims against JUUL and Altria that are pending in Alaska state court. The government and school district plaintiffs allege that the JUUL and Altria defendants knowingly targeted youth in their marketing of addictive e-cigarettes, resulting in skyrocketing rates of youth vaping and nicotine addiction and the undoing of years of public health progress in combatting youth use of tobacco products. In December 2022, Keller Rohrback, along with its co-lead counsel in the JUUL MDL announced a settlement with JUUL on the eve of trial. The case against Altria proceeded to trial in April 2023. After Plaintiffs rested their case, a \$235 million settlement in principle was reached with Altria and was announced on May 10, 2023. The scope of the MDL settlements are enormous,

creating a program to resolve over 8,500 personal injury cases, a nationwide class action, and over 1,500 county, city and school district cases. The government entity settlements will provide resources to school districts, cities, and counties to abate youth nicotine addiction in their communities.

### *In re Nat'l. Prescription Opiate Litig., MDL No. 2804 (N.D. Ohio)*

Keller Rohrback represents multiple government entities in the sprawling *In re National Prescription Opiate Litigation*, MDL pertaining to the well-publicized opioid epidemic that has ravaged the United States. Keller Rohrback has been responsible for the work of multiple critical experts, and has managed the litigation against key defendants, including Mallinckrodt, the manufacturer with the largest opioid market share. Keller Rohrback also helped manage discovery and played a key role in the work up of the claims against Walmart, one of three pharmacy defendants in the jury trial presided over by Honorable Dan Aaron Polster of the Northern District of Ohio on November 23, 2022. The jury found CVS Health, Walgreens, and Walmart, contributed to a “public nuisance” through the sale of prescription narcotics and were legally liable for contributing to the opioid epidemic in two Ohio counties. Some defendants in this litigation have settled, allowing billions of dollars in settlement funds to flow to municipalities across the country. Litigation against the remaining defendants is ongoing. Keller Rohrback also has been instrumental in the leadership and development of several statewide Memoranda of Understanding (MOU) that govern how MDL related settlement funds will be distributed.

# GOVERNMENTS AND MUNICIPALITIES



## REPRESENTATIVE CASES continued

### *In re Liquid Aluminum Sulfate Antitrust Litig., MDL No. 2687 (D.N.J.)*

In 2016, Keller Rohrback filed numerous class action complaints in federal courts on behalf of several municipalities in Washington, California, and Arizona that purchase and use liquid aluminum sulfate ("Alum") to treat and clean their waste water. The complaints contained claims against the major manufacturers of Alum who allegedly engaged in a conspiracy to artificially inflate the price of this essential chemical used in municipal water treatment. As a result of these antitrust violations, municipalities – and their taxpayers – had overpaid millions of dollars to the co-conspirators for the Alum they purchased during the long life of this conspiracy. In March 2020, the Court authorized the transfer of settlement funds to pay claims of the Settlement Class Members.

### *In Re: Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation, MDL 3052 (C.D. Cal.)*

Keller Rohrback L.L.P. represents multiple Governmental Entities nationwide that are experiencing a surge of stolen vehicles. Defendants Hyundai Motor America ("Hyundai") and Kia America, Inc. ("Kia") deviated from industry norms and failed to install effective vehicle locking technology in the majority of their vehicles manufactured for sale in the United States between 2011 and 2021, making them highly susceptible to theft. Gretchen Freeman Cappio, a Keller Rohrback partner, has been appointed by the Court as Co-Chair of Executive Committee for the Multi-District Litigation (MDL) as well as Chair of the Governmental Entities Committee. Additionally, Keller Rohrback partner Ryan McDevitt was named to both the Discovery Committee and Expert Committee for the MDL. The Governmental Entities Track of the litigation is currently at the Motion to Dismiss stage before Judge James V. Selna of the United States District Court for the Central District of California.

### *Republic of the Marshall Islands v. United States, No. 14-1885 (N.D. Cal.)*

Keller Rohrback represented the Republic of the Marshall Islands (RMI) in an action for breach of the Treaty on the Non-Proliferation of Nuclear Weapons. We also represented the RMI in cases at the International Court of Justice against the United Kingdom, India, and Pakistan, for breach of treaty and violations of customary international law. For this ground-breaking work, Keller Rohrback and the RMI's former Foreign Minister, Tony deBrum, were nominated for the 2016 Nobel Peace Prize.

### *Daisy Mountain Fire Dist. v. Microsoft Corp., MDL No. 1332 (D. Md.)*

Keller Rohrback obtained a settlement in excess of \$4 million on behalf of a class of Arizona governmental entities that indirectly purchased operating systems and software from Microsoft at inflated rates because of Microsoft's monopolistic practices. The settlement returned millions of dollars to local government entities at a time of severe budget crisis in the state.

### **Federal Home Loan Bank Litigation**

Keller Rohrback has represented several Federal Home Loan Banks ("FHLBs") in mortgage-backed securities litigation across the country against dozens of issuers, underwriters, and sponsors of these complex instruments. Representing these government-sponsored enterprises simultaneously in multiple state and federal courts has required us to approach coordinated, complex litigation by mastering the law of various jurisdictions and pressing similar claims, albeit under different governing law, in multiple fora at the same time. The FHLB complaints named more than 120 defendants and involved over 200 securities with a collective original face value of over \$13 billion. The relief sought by the FHLBs includes rescission and damages under state blue sky laws and the federal securities laws. We have recovered hundreds of millions of dollars on behalf of our clients to date.

# GOVERNMENTS AND MUNICIPALITIES



## REPRESENTATIVE CASES continued

### *Navajo Nation v. Urban Outfitters, Inc.*, No. 12-197 (D. N.M.)

Keller Rohrback represented the Navajo Nation against Urban Outfitters and its Anthropologie and Free People subsidiaries, alleging that these retailers infringed the Nation's trademarks by marketing inauthentic jewelry, handbags, and clothing using the NAVAJO mark. A settlement resolved the Nation's claims, and the parties agreed to enter a supply agreement that requires Urban Outfitters to purchase authentic goods from tribal artisans.

### Social Media Litigation

Keller Rohrback has filed complaints on behalf of school districts in Washington, Arizona, California, Oregon, and Wisconsin that allege that social media companies have substantially contributed to the mental health crisis America's youth are facing. The school districts allege that social media companies contributed to this crisis by, among other things, intentionally designing, marketing, and operating their exploitative social media platforms to target and hook youth users, despite research confirming the severe and wide-ranging effects of excessive and problematic social media use on youth mental health.

### *ERISA Indus. Comm. v. City of Seattle*, No. 18-1188 (W.D. Wash.)

Keller Rohrback is co-counsel (along with the City Attorney) in defending a Seattle ordinance that mandates that large hotels pay specified amounts of money for employee health care. A nationwide employer association brought suit claiming that the ordinance is preempted by ERISA. The U.S. District Court granted the City's motion to dismiss. The district court's decision was recently upheld on appeal, and the Supreme Court recently denied a petition for certiorari of that decision.

### *King County v. Lexington Ins. Co.*, No. 15-2-3541-0 (Wash. Super. Ct. King Cnty.)

Keller Rohrback represented King County, Washington, in a multi-million-dollar insurance coverage and bad faith lawsuit arising from a disaster at the County's Brightwater Wastewater Treatment Facility. Our litigation returned millions of dollars to the taxpayers and allowed the County to upgrade its treatment facility to prevent future malfunctions.

### *Village of Rockton v. Sonoco Prods. Co.*, No. 14-50228 (N.D. Ill.)

Keller Rohrback represented the Village of Rockton in its efforts to make Sonoco Products Company, a paper and plastics manufacturing company, clean up the toxic mess it left when it abandoned its facility in the heart of the Village. Although the Illinois Environmental Protection Agency concluded that the levels of contamination at the site far exceeded state and federal laws and were threatening to spread to other sites in town and pollute the river, Sonoco refused to take any action. That changed, however, when Keller Rohrback began working on the case.

Using the experience and skills of the attorneys at Keller Rohrback, the Village took matters into its own hands and commenced legal action against Sonoco to protect the health and well-being of its dynamic community. As a result of Keller Rohrback's intervention, Sonoco has cleaned up the site and left the Village of Rockton a now safer and better place. Our firm is committed to making communities like Rockton clean and healthy places to live and visit.

# GOVERNMENTS AND MUNICIPALITIES



## REPRESENTATIVE CASES continued

### *Oregon v. Monsanto Co., No. 18-540 (Multnomah Cnty. Cir. Ct., Oregon)*

Oregon appointed Keller Rohrback to represent the State in this landmark case seeking to hold Monsanto responsible for the harm its Polychlorinated Biphenyls ("PCBs") have caused to Oregon's environment, including its waters and wildlife. Keller Rohrback, together with co-counsel Stoll Berne, filed the complaint in 2018. On December 15, 2022, Monsanto agreed to pay \$698 million to the State of Oregon to resolve the State's claims.

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# INSURANCE COVERAGE



## ATTORNEYS

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Benjamin Gould  
Irene Hecht  
Nathan Nanfelt

**Keller Rohrback's insurance coverage lawyers have represented policyholders and insurers in state and federal courts for over 50 years.** We have been at the forefront of policy interpretation and litigation to ensure that policyholders get the full benefit of the insurance coverage they purchased. Our litigation experience in this area includes coverage questions, breach of contract, insurance bad faith, negligent claims handling, violations of the Insurance Fair Conduct Act, and breach of the duty to defend. Our team has unmatched experience representing policyholders in cases involving business interruption coverage, dependent property coverage, home and property insurance, life and health insurance, professional insurance, and general and surplus insurance.

## REPRESENTATIVE CASES

### *Merriman v. Am. Guarantee & Liab. Ins. Co.*, 198 Wn. App. 594, 396 P.3d 351, *rev. denied*, 189 Wn.2d 1038, 413 P.3d 565 (2017)

Keller Rohrback successfully litigated this action in the Washington Court of Appeals, establishing a policyholder's right to bring claims against insurance claim service providers. *Merriman* has been cited by other courts more than twenty times, including by the Washington Supreme Court, the Washington Court of Appeals, the Iowa Supreme Court, and the Ninth Circuit. The decision has been cited more than 60 times in litigation reporters and in secondary sources, including *Couch on Insurance*, *American Law Reports*, and *Corpus Juris Secundum*.

### *Glendale & 27th Invs., LLC v. Delos Ins. Co.*, 610 F. App'x 661 (9th Cir. 2015)

After Keller Rohrback's jury trial landed a punitive damages award against the insurer with a ratio of "roughly 3.5," *id.* at 663, the firm successfully defended an appeal seeking to overturn the punitive jury award as unconstitutional. The Ninth Circuit affirmed the jury's award of punitive damages, finding that plaintiff had presented evidence at trial, among other things, that the insurer "made intentional and material misrepresentations in the administration of [plaintiff's] claim." *id.* at 662.

### *Utica Mut. Ins. Co. v. Lifequotes of Am., Inc.*, No. 06-0228 (E.D. Wash.)

Keller Rohrback was awarded a series of significant class action judgments against defendant Lifequotes of America, Inc. in King County Superior Court in 2007. Facing an insolvent defendant, the class then purchased the claims and rights of defendant Lifequotes against its insurance company, Utica Mutual Insurance Company. Keller Rohrback continued to represent the class, who stepped into the shoes of the former defendant, on the new claims, and litigated against Utica Mutual in federal court in the Eastern District of Washington. The class pursued counterclaims against Utica Mutual for coverage, bad faith, and violations of the Washington Consumer Protection Act. Keller Rohrback's hard-fought and successful litigation against insurer Utica Mutual resulted in a \$44 million recovery for the class.

# INSURANCE COVERAGE



## REPRESENTATIVE CASES continued

### *The Charter Oak Fire Ins. Co., v. 21st Century Oncology Invs., LLC, No. 17-582-MSS-AEP (M.D. Fla.)*

Keller Rohrback represents plaintiffs and a proposed class in a data breach action against healthcare provider 21st Century Oncology. Insurers sued the insured as well as the data breach plaintiffs for a declaration that there was no duty to defend and indemnify. After 21st Century declared bankruptcy, the data breach plaintiffs reached an agreement for relief from the automatic stay and an assignment of rights to a number of 21st Century's insurance policies. Keller Rohrback's clients then asserted counterclaims against the insurer, briefed cross motions for summary judgment involving unsettled law, and recently reached an agreement to settle.

### *Group Health Coop. v. Coon, 193 Wn.2d 841, 447 P.3d 139 (2019)*

Keller Rohrback successfully represented the policyholder before the Washington Supreme Court, and prevailed in reaffirming the made-whole doctrine in favor of policyholders in insurance subrogation claims.

# INTERNATIONAL LAW



## ATTORNEYS

Lynn Lincoln Sarko

Laurie Ashton

Alison Chase

Juli Farris

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**Keller Rohrback has experience in international forums.** Keller Rohrback clients included sovereign nations, state and local governments, sovereign Native American tribes, and quasi-governmental agencies where international agreements or other tort or statutory claims are at issue.

Keller Rohrback has been honored to represent sovereigns in litigation and arbitration matters involving governmental and business entities. The firm's attorneys have argued cases in the International Court of Justice and pursued a breach of treaty claim on behalf of a sovereign nation. Keller Rohrback is also investigating environmental contamination claims on behalf of a sovereign nation.

Keller Rohrback attorneys have also represented clients in international arbitration proceedings, including International Centre for Dispute Resolution and International Chamber of Commerce arbitrations, as well as ad hoc arbitrations conducted under the United Nations Commission on International Trade Law Arbitration Rules. Domestically, these international arbitrations have given rise to related litigation in U.S. courts, including confirmation and enforcement proceedings under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

In addition, Keller Rohrback attorneys have represented private clients with international interests in civil litigation in U.S. courts, including state and federal courts in California, New York, Illinois, and Texas. Keller Rohrback attorneys have litigated trademark claims on foreign-registered trademarks in several western European countries and have also succeeded in obtaining rulings to conduct depositions and other discovery in Russia for litigation matters pending in the U.S. federal courts. The firm has also represented claimants in insolvency proceedings in Canada, proceeding under the Companies' Creditors Arrangement Act.

Keller Rohrback is a member firm of several international organizations: the Global Justice Network, a consortium of international counsel working together and across borders for the benefit of victims; the International Financial Litigation Network of attorneys, who handle cross-border litigation in the finance arena; and the Sovereign Wealth Fund Institute, a global organization of asset managers and service providers.



## REPRESENTATIVE CASES

### *Republic of the Marshall Islands v. United States, No. 14-1885 (N.D. Cal.)*

Keller Rohrback represented the Republic of the Marshall Islands (RMI) in an action for breach of the Treaty on the Non-Proliferation of Nuclear Weapons and also represented the RMI in cases at the International Court of Justice against the United Kingdom, India, and Pakistan, for breach of treaty and violations of customary international law. For this groundbreaking work, Keller Rohrback was nominated by the International Peace Bureau for the 2016 Nobel Peace Prize as part of the international legal team, together with the RMI's former Foreign Minister, Tony deBrum.

# SECURITIES AND FINANCIAL FRAUD



## ATTORNEYS

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Dean N. Kawamoto  
Ron Kilgard  
David Ko  
Eric Laliberte  
Derek Loeser  
Ryan McDevitt  
Erin Riley  
Havila C. Unrein  
Jen Wagner  
Michael Woerner

**Keller Rohrback enjoys a national reputation for excellence in prosecuting securities and financial fraud matters.** We represent a variety of investors ranging from classes of individuals to large institutions. Many of our cases reflect recent financial scandals: we are pursuing claims against a group of international banks for rigging LIBOR; we represent investors in connection with their purchases of billions of dollars of mortgage-backed securities; and we pursued claims on behalf of employee benefit plans in connection with the Madoff Ponzi scheme. While our experience is diverse, our approach is simple and straightforward: we master the factual and legal bases for our claims with a focus on providing clear and concise explanations of the financial fraud and why our clients are entitled to recover.

## REPRESENTATIVE CASES

### Federal Home Loan Bank Litigation

Keller Rohrback has played a prominent role in large securities fraud and other investment cases litigated across the country involving mortgage-backed securities. Keller Rohrback has been retained by several Federal Home Loan Banks (FHLBs) to pursue securities and common law claims against dozens of issuers, underwriters, and sponsors of mortgage-backed securities. The FHLB complaints named more than 120 defendants and involved over 200 securities with a collective original face value of \$13 billion. The relief sought by the FHLBs includes rescission and damages under state blue sky laws and the federal securities laws. We have recovered hundreds of millions of dollars on behalf of our clients to date.

*In re the Bank of N.Y. Mellon (as Trustee), No. 651786/11 (N.Y. Sup. Ct.)*

Keller Rohrback was a member of the three-firm steering committee addressing significant mortgage repurchase issues that impacted institutional investors. Keller Rohrback represented certificate holders who intervened in a proposed \$8.5 billion settlement initiated by Bank of New York Mellon, as Trustee of 530 Countrywide mortgage-backed securities trusts. Our firm played a lead role in discovery and the eight-week bench trial in New York contesting the fairness of the settlement. The objection we pursued and tried was the only objection the trial court sustained.

*In re LIBOR-Based Fin. Instruments Antitrust Litig., No. 11-2262 (S.D.N.Y.)*

Keller Rohrback represents institutional funds pursuing antitrust claims based on the manipulation of the London Interbank Offered Rate (LIBOR) by the international panel of banks entrusted to set that rate. Multiple government investigations have revealed that certain panel banks manipulated LIBOR to mislead the markets and investors about the state of their financial health. The case is in discovery.

*Diebold v. Northern Tr. Invs., N.A., No. 09-1934 (N.D. Ill.)*

Keller Rohrback was Class Counsel in this class action litigation against Northern Trust alleging that Northern Trust imprudently structured and managed its securities lending program by improperly investing cash collateral in long term debt, residential mortgage-backed securities, structured investment vehicles ("SIVs"), and other risky and illiquid assets. On August 7, 2015, Judge Susan E. Cox approved the allocation plan for a \$36 million settlement.

# SECURITIES AND FINANCIAL FRAUD



## REPRESENTATIVE CASES continued

### *Louisiana Firefighters' Ret. Sys. v. Northern Tr. Invs., N.A., No. 09-7203 (N.D. Ill.)*

Keller Rohrback was Co-Lead Counsel in this securities lending litigation, a class action brought on behalf of four public retirement systems alleging that Northern Trust breached its fiduciary and contractual duties to investors when it imprudently structured and managed its securities lending program by improperly investing cash collateral in long-term debt, residential mortgage-backed securities, SIVs, and other risky and illiquid assets, rather than conservative, liquid investments. Plaintiffs allege that Northern Trust's imprudent management of the collateral pools caused Plaintiffs and other investors to suffer hundreds of millions of dollars in losses. On May 6, 2011, the Honorable Robert W. Gettleman denied in significant part Defendants' motion to dismiss. Plaintiffs also successfully defeated Defendants' third party complaint. The Court thereafter approved a partial settlement of \$24 million in cash, plus interest earned thereon, which represents settlement of the indirect lending claims of settlement class members.

### *In re Bank of N.Y. Mellon Corp. Forex Transactions Litig., No. 12-2335 (S.D.N.Y.)*

Keller Rohrback served as Lead ERISA Counsel in this class action against the Bank of New York Mellon ("BNY Mellon") arising from its undisclosed charges for Standing Instruction Foreign Currency ("SI FX") transactions. Plaintiffs allege that between January 12, 1999 and January 17, 2012, BNY Mellon breached its fiduciary duties by failing to prudently and loyally manage the Plan's foreign currency transactions in the best interests of the participants, failing to disclose fully the details of the relevant SI FX transactions it was undertaking on behalf of the Plans, and engaging in prohibited transactions. In March 2015, a global resolution of the private and governmental enforcement actions was announced in which \$504 million will be paid back to BNY Mellon customers—\$335 million of which is directly attributable to funds received in the class litigation.

### *Madoff Direct & Feeder Fund Litigation: Hartman v. Ivy Asset Mgmt. LLC, No. 09-8278 (S.D.N.Y.)*

Keller Rohrback successfully litigated this direct action on behalf of the trustees of seventeen employee benefit plans damaged by the Madoff Ponzi scheme. The action alleged that Ivy Asset Management and J.P. Jeanneret Associates, Inc. breached their fiduciary duties under ERISA by causing the plans to be invested directly or indirectly in Madoff funds. Keller Rohrback obtained a settlement of over \$219 million in this case and related actions, including claims brought by the United States Secretary of Labor and the New York Attorney General.

### *In re IKON Off. Sols., Inc. Sec. Litig., MDL No. 1318 (E.D. Pa.)*

Keller Rohrback served as Co-Lead Counsel representing the City of Philadelphia and eight other lead Plaintiffs in this certified class action alleging securities fraud. Class counsel achieved the highest securities fraud settlement at that time in the Eastern District of Pennsylvania by settling with Defendant IKON Office Solutions, Inc. for \$111 million. The settlement was listed as one of the "largest settlements in class-action securities-fraud lawsuits since Congress reformed securities litigation in 1995" by *USA Today*.

### *In re Apple Comput., Inc. Derivative Litig., No. 06-4128 (N.D. Cal.)*

Keller Rohrback served on the Management Committee in this federal derivative shareholder action against nominal Defendant Apple Computer, Inc. and current and former directors and officers of Apple. Plaintiffs pursued breach of fiduciary duty, unjust enrichment, and gross mismanagement claims arising from backdated stock options granted between 1993 and 2001, which diverted millions of dollars of corporate assets to Apple executives. We achieved a settlement that awarded \$14 million—one of the largest cash recoveries in a stock backdating case—and that required Apple to adopt a series of unique and industry-leading corporate enhancements.

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## LYNN LINCOLN SARKO

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
lsarko@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Appeals
- Class Actions
- Constitutional Law
- Commodities & Futures Contracts
- Consumer Protection
- Data Privacy Litigation
- Employment Law
- Environmental Litigation
- Employee Benefits & Retirement Security
- Financial Products & Services
- Government & Municipalities
- Institutional Investors
- Intellectual Property
- International Law
- Mass Personal Injury
- Securities & Financial Fraud
- Whistleblower

**Managing Partner Lynn Sarko uses thoughtful innovation to solve complex issues.** Having led Keller Rohrback L.L.P.'s Complex Litigation Group since its inception over 30 years ago, Lynn's work has led to new developments in case law and significant, impactful settlements for his clients.

A dynamic leader with a tenacious dedication to justice, Lynn has been selected by courts across the nation to serve in key leadership roles in a wide variety of cutting-edge cases. Namely, he was appointed Co-Lead counsel for *In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Practices & Antitrust Litigation*, MDL No. 2785 (D. Kan.), the nationwide class action against pharmaceutical company Mylan and others for anticompetitive and unfair business practices in its sale and marketing of the EpiPen Auto-Injector device. He was also selected to serve in a leadership position on behalf of governmental entities and other plaintiffs in the vast litigation regarding the nationwide prescription opioid epidemic, *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio). The National Law Journal referred to this leadership team as a "Who's Who" in mass torts."

Some of Lynn's other remarkable successes include consumer protection cases aimed at holding automotive companies accountable for wrongdoing. One such case was *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672 (N.D. Cal.), for which Lynn was appointed to the Plaintiffs' Steering Committee—a group referred to as a "class action dream team." The case settled for over \$17 billion. Lynn was also appointed to the Plaintiffs' Steering Committee for *In re Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2777 (N.D. Cal.), which settled for \$307.5 million, including required emissions modifications for 100,000 eligible vehicles. In addition to consumer protection cases, Lynn has also served in leadership positions for cases involving financial fraud and breaches of fiduciary duty. He was selected to lead teams of attorneys representing plaintiffs in the litigations against Enron, Worldcom, and Madoff—three of the biggest financial frauds of our time.

Lynn is widely renowned within the legal community and beyond for his diplomacy and fearless devotion to justice. He was a member of the legal team nominated for the 2016 Nobel Peace Prize for seeking enforcement of the Nuclear Non-Proliferation Treaty on behalf of the Republic of the Marshall Islands. He was also honored to receive the Trial Lawyers for Public Justice Trial Lawyer of the Year Award for his work on the Exxon Valdez Oil Spill trial team, and he was one of four Washington lawyers recognized as one of the 500 "Leading Lawyers in America" by Lawdragon. He is also AV-rated by Martindale-Hubbell and has been consecutively named to the Washington Super Lawyers list for 21 years.

Lynn holds a BBA and an MBA in accounting and finance from the University of Wisconsin, where he also served as an accounting instructor. He graduated with his J.D. from the University of Wisconsin Law school, where he was Editor-in-Chief of the Wisconsin Law Review and received the faculty award given to the

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most outstanding member of the graduating class.

Prior to joining Keller Rohrback, Lynn was an Assistant United States Attorney for the District of Columbia, Criminal Division, an associate at the Washington D.C. office of Arnold & Porter, and law clerk to the Honorable Jerome Farris, United States Court of Appeals for the Ninth Circuit, in Seattle.

## EDUCATION

### University of Wisconsin

B.B.A., 1977

### University of Wisconsin

M.B.A., 1978, *Beta Alpha Psi*

### University of Wisconsin

J.D., 1981, *Order of the Coif*; Editor-in-Chief, *Wisconsin Law Review*; Salmon Dalberg Award (outstanding graduate)

## BAR & COURT ADMISSIONS

1981, Wisconsin

1981, U.S. Court of Appeals for the Ninth Circuit

1983, District of Columbia Court of Appeals

1984, District of Columbia

1984, U.S. District Court for the District of Columbia

1984, United States Supreme Court

1984, U.S. Court of Appeals for the Seventh Circuit

1984, U.S. Court of Appeals for the Fourth Circuit

1984, U.S. Court of Appeals for the Tenth Circuit

1984, U.S. Tax Court

1986, Washington

1986, U.S. District Court for the Western District of Washington

1988, U.S. District Court for the Eastern District of Wisconsin

1989, U.S. District Court for the Eastern District of Washington

1996, U.S. District Court for the Western District of Wisconsin

1997, U.S. District Court for the District of Colorado

2001, U.S. Court of Appeals for the Third Circuit

2002, U.S. District Court for the Eastern District of Michigan

2003, U.S. Court of Appeals for the Fifth Circuit

2003, U.S. Court of Appeals for the Eleventh Circuit

2004, U.S. District Court for the Northern District of Illinois

2008, U.S. Court of Appeals for the Eighth Circuit

2009, U.S. Court of Appeals for the Sixth Circuit

2010, U.S. District Court for North Dakota

2013, U.S. Court of Appeals for the Second Circuit

2016, U.S. District Court for the Central District of Illinois

2016, U.S. District Court for the Southern District of Illinois

2018, U.S. Court of Appeals for the First Circuit

2019, Arizona

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## HONORS & AWARDS

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023  
Law360 Titans of The Plaintiffs Bar honoree, 2023

American Antitrust Institute - Antitrust Enforcement Award Honoree, in the category of "Outstanding Antitrust Litigation Achievement in Private Law Practice" for work in *In re EpiPen Marketing, Sales Practices, and Antitrust Litigation*, 2022

Selected to Super Lawyers list in *Super Lawyers - Washington*, 1999-2023

Best Lawyers in America®, Seattle, Washington:

- Litigation- Antitrust, 2024
- Litigation - ERISA, 2024
- Mass Torts / Class Action - Plaintiffs, 2024

National Trial Lawyers: Top 100 Civil Plaintiff Trial Lawyers in Washington

Lawdragon, 500 Leading Lawyers in America, 2018 2022 and 2023

Fellow of the American Bar Foundation

Avvo Top Tax Lawyer, Washington CEO Magazine

Trial Lawyer of the Year, Trial Lawyers for Public Justice  
Salmon Dalberg Award

Fellow of the American Bar Foundation

ERISA Litigation & Regulatory Compliance Congress, 2013

American Conference Institute's 6th National Forum on ERISA Litigation, 2013

25th Annual ERISA Litigation Conference, 2012

American Conference Institute's 5th National Forum on ERISA Litigation, 2012

## PROFESSIONAL & CIVIC INVOLVEMENT

American Bar Association, *Member*

Bar Association of The District of Columbia, *Member*

Federal Bar Association, *Member*

King County Bar Association, *Member*

State Bar of Wisconsin, *Member*

Trial Lawyers for Public Justice, *Member*

Washington State Bar Association, *Member*

Washington State Trial Lawyers Association, *Member*

American Association for Justice, *Member*

The Association of Trial Lawyers of America, *Member*

American Academy of Trial Counsel, *Fellow*

Editorial Board, *Washington State Securities Law Deskbook*

Fellow, American Bar Foundation

Human Rights Watch Committee

Washington Athletic Club, *Member*

## SELECTED PUBLICATIONS & PRESENTATIONS

Presenter, Colorado County Attorneys Association Virtual Summer Conference, Statewide Opioid Litigation Update, June 11, 2021.

Thomson/West Webinar, "Stock Drop and Roll: Key Supreme Court Rulings and New Standards in ERISA 'Stock Drop' Cases," July 24, 2014

14th Annual Pension Law, Governance and Solvency Conference, 2013

Canadian Institute's 14th Annual Advanced Forum on Pension Law, Governance and Solvency, 2013

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## LAURIE ASHTON

### CONTACT INFO

3101 N Central Avenue, Ste. 1400  
Phoenix, AZ 85012  
(602) 248-0088  
lashton@kellerrohrback.com

### PRACTICE EMPHASIS

- Business Reorganizations
- Class Action & Consumer Litigation
- Constitutional Law
- Employee Benefits and Retirement Security
- Fiduciary Breach
- International Law

### EDUCATION

**University of California, San Diego**

B.A., 1987, Economics

**Arizona State University College of Law**

J.D., 1990, Order of the Coif;  
Member, *Arizona State Law Journal*,  
1988-1990; Note and Comment  
Editor, *Arizona State Law Journal*,  
1989-1990; Student Instructor,  
Legal Research and Writing, 1989-  
1990.

**Laurie Ashton is Of Counsel to Keller Rohrback.** Prior to becoming Of Counsel, she was a partner in the Arizona affiliate of Keller Rohrback. Early in her career, as an Adjunct Professor, she taught semester courses in Lawyering Theory and Practice and Advanced Business Reorganizations. She also served as a law clerk for the Honorable Charles G. Case, U.S. Bankruptcy Court, for the District of Arizona for two years.

An important part of Laurie's international work involves the domestic and international legal implications of treaty obligations and breaches. She is a member of the international legal team that represented the Marshall Islands at the International Court of Justice in The Hague. For its work, the team was nominated by the International Peace Bureau for the 2016 Nobel Peace Prize, along with the former Foreign Minister, Tony deBrum. Laurie was also part of the team representing parties impacted by the Trump administration's Muslim travel ban and policies related to it. That work included claims arising out of the United States' failure to reunite refugee families as legally required.

In complex litigation, Laurie was the lead attorney for Keller Rohrback in a series of successful groundwater contamination suits brought in 1996 against multiple international defendants concerning chemical releases spanning over 60 years. She was also the lead attorney for Keller Rohrback in an ERISA class action suit on behalf of over 21,000 employees who lost a material percentage of their retirement assets at the hands of corporate fiduciaries—a case that was, at its time, amongst the largest of its kind. Laurie has led or been a member of the team leading numerous high-profile business reorganizations, including a case in which the Court confirmed a reorganization plan over the objection of the international life insurance company's feasibility expert, based on Laurie's cross examination.

Laurie served on the Ethics Committee of the State Bar of Arizona for six years. She was the coauthor of a textbook on limited liability companies and partnerships, published by West, and she is AV Preeminent rated by Martindale.

Laurie is frequently interviewed and has been cited by Reuters, Newsweek, Fox News, Huffington Post, Slate Magazine, Radio New Zealand, Radio Australia, and others. She currently serves as a Director of the Santa Barbara City College Foundation, a member of the Human Rights Watch Council in Santa Barbara, and as an Advisor of the Global Justice Center in New York, which advances human rights pursuant to various international laws, including the Geneva and Genocide Conventions, as well as customary international law.

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## BAR & COURT ADMISSIONS

1990, Arizona  
1999, Colorado  
2007, Washington, D.C.  
2013, Eastern District of Michigan  
2014, U.S. Court of Appeals for the Sixth Circuit  
2015, U.S. Court of Appeals for the Ninth Circuit  
2016, U.S. Court of Appeals for the Tenth Circuit  
2016, U.S. Supreme Court  
International Court of Justice

## PROFESSIONAL & CIVIC INVOLVEMENT

State Bar of Arizona, *Member*  
Colorado Bar Association, *Member*  
Washington, D.C. Bar Association, *Member*  
Adjunct Professor of Law, *Advanced Chapter 11*, Arizona State University, 1996  
Adjunct Professor of Law, *Lawyering Theory & Practice*, Arizona State University, 1997  
Committee on the Rules of Professional Conduct ("Ethics Committee"), State Bar of Arizona, *Member*, 1997-2003  
Court Appointed Special Advocate, King County, 2007-2009  
Global Justice Center, New York, *Advisor*  
Human Rights Watch Committee, Santa Barbara, *Member*  
Santa Barbara City College Foundation, *Director*

## PUBLICATIONS & PRESENTATIONS

Author, Case Note, *Arizona Mortgage and Deed of Trust Anti-Deficiency Statutes: The Underlying Obligation on a Note Secured By Residential Real Property After Baker v. Gardner*, 21 Ariz. St. L.J. 465, 470 (1989).  
Co-Author, *Arizona Legal Forms: Limited Liability Companies and Partnerships* (1996-2004).  
Guest Lecturer, Harvard Law School, 1997, 1999, 2001-2002.  
Guest Lecturer, Stanford Law School, 2003.  
Speaker, United Nations 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons; Panel, *Marshall Islands Nuclear Zero Lawsuits*  
Speaker, Humanity House, The Hague, "Legal Obligations for Nuclear Disarmament," March 2016.  
Speaker, Bertha Von-Suttner Master Class, The Peace Palace, The Hague, "Forward Into Light, The Barbarization of the Sky."  
Speaker, *Approaches for Advancing the Rule of Law and Morality as Concerns Nuclear Weapons*, New York State Bar Ass'n Seminar (2022), transcribed and published in Fordham International Law Journal, Vol. 45 at 173 (2022).

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## RACHEL BOWANKO

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
rbowanko@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Environmental Litigation

### EDUCATION

**University of Vermont**  
B.S, *summa cum laude*, 2019,  
Environmental Studies

**Stanford Law School**  
J.D., 2022

**Rachel Bowanko is a 2022 graduate of Stanford Law School, who graduated with pro bono distinction.**

Rachel rejoined Keller Rohrback in the Seattle office after serving as a Summer Associate with the firm in 2020 and 2021 and completing a federal clerkship with Judge Marilyn L. Huff at the U.S. District Court for the Southern District of California. Her exposure to and experience with complex cases requiring creative solutions has laid an outstanding foundation for her further associate work in the firm's nationally-recognized Complex Litigation Group.

Rachel was drawn to the firm because of its success in groundbreaking cases such as *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, which produced financial remedies coupled with lasting and effective solutions for large-scale issues relating to environmental protection, renewable energy, and consumer health and safety among others. As a summer associate she participated in the *In re JUUL Labs, Inc. Marketing, Sales Practices, & Products Liability Litigation*, brought in the wake of the youth vaping epidemic.

Rachel is a firm believer in the ability of complex litigation to ensure corporate accountability and create lasting positive ripple effects. Excited to have returned to the firm, Rachel currently focuses on complex multidistrict litigation, including representing government entities in the Insulin Overpricing litigation and the PFAS litigation.

While at Stanford, Rachel served as Co-President of the Stanford Law Association, a Board Member for the Plaintiffs' Lawyers Association, and as the Senior Development Editor of the Stanford Law Review. She was also a member of Stanford's Environmental Law Clinic.

In Rachel's free time, she enjoys hiking, traveling, baking scones, and spending time with her dogs.

### BAR & COURT ADMISSIONS

2022, California

2023, Washington

2022, U.S. District Court for the Central District of California

2023, Western District of Washington

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## GRETCHEN FREEMAN CAPPIO

### CONTACT INFO

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Seattle, WA 98101  
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### PRACTICE EMPHASIS

- Consumer Protection
- Data Privacy Litigation
- Employee Benefits & Retirement Security
- Employment Law
- Environmental Litigation
- Governments & Municipalities
- Financial Products & Services
- Mass Personal Injury
- Whistleblower

### EDUCATION

#### Dartmouth College

B.A., *magna cum laude*, 1995,  
Religion, Environmental Studies  
Certificate, Phi Beta Kappa

#### University of Washington School of Law

J.D., 1999, Executive Comments  
Editor, Pacific Rim Law & Policy  
Journal, 1998-1999

**Gretchen Freeman Cappio is a partner at Keller Rohrback L.L.P., a nationally renowned law firm known for its skillful, effective advocacy.**

Gretchen's law practice emphasizes complex, cutting-edge litigation. She has played key roles in many well-known cases, including in the multibillion-dollar Volkswagen "Clean Diesel" litigation and in groundbreaking litigation holding Wells Fargo accountable for its unauthorized account scheme. Gretchen's advocacy also extends to high-profile public health cases, and she serves as the primary client contact for major governmental clients, including in the massive Opioid multidistrict litigation. In that case, she has helped negotiate numerous agreements between states and local governments to allocate settlement funds that are dedicated to addressing the devastating impacts of the opioid epidemic. She has also successfully advocated for the fairer pricing of drugs and devices, including in the EpiPens Marketing litigation, for which she and her team have been honored by the American Antitrust Institute, winning an Outstanding Antitrust Litigation Achievement in Private Practice Award in 2022.

In addition, judges have appointed Gretchen to leadership positions in a number of high-profile cases that are currently pending. She helps lead litigation about the safety and reliability of vehicles in the ZF-TRW Airbag, GM Transmission, and Chevy Bolt litigations, and she advocates for the security of data in the Blackbaud Data Breach litigation.

Gretchen's leadership and devotion to justice drive her legal work and personal time. Her colleagues at Keller Rohrback L.L.P. recognized these skills by electing her to the firm's Executive Committee. Gretchen is a founding board member of the Mother Attorneys Mentoring Association (MAMA), an organization supporting mothers in the legal profession, now with nine chapters across the United States. She is also the proud mother of two daughters, both of whom inspire her to seek justice everyday.

### BAR & COURT ADMISSIONS

1999, Washington  
2000, U.S. District Court for the Western District of Washington  
2008, U.S. Court of Appeals for the Eighth Circuit  
2009, U.S. Court of Appeals for the Ninth Circuit  
2009, U.S. Supreme Court  
2011, U.S. District Court for the Eastern District of Washington  
2011, U.S. Court of Appeals for the Sixth Circuit  
2015, U.S. District Court for the Eastern District of Michigan  
2020, Michigan

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## PROFESSIONAL & CIVIC INVOLVEMENT

Institute for Complex Litigation and Mass Claims at Emory University School of Law

Emerging Leaders Board of Advisors, *Inaugural Member*

Class Action Roundtable, *Reporter*

Global Justice Center, *Board Chair*

*The Global Justice Center works worldwide and domestically with women's rights advocates, grassroots groups, and policymakers to prevent and respond to gender-based violence.*

The William L. Dwyer American Inn of Court, *Member*

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member*

Washington Women Lawyers, *Member*

Washington State Trial Lawyers Association, *Member*

American Association for Justice, *Member*

The National Trial Lawyers, *Member*

Mother Attorney Mentoring Association (MAMAS), *Member; Founding Board Member, 2006-2008*

## HONORS & AWARDS

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023

American Antitrust Institute - Antitrust Enforcement Award Honoree, in the category of "Outstanding Antitrust Litigation Achievement in Private Law Practice" for work in *In re EpiPen Marketing, Sales Practices, and Antitrust Litigation*, 2022

Listed as Lawdragon 500 Leading Lawyers in America 2022 and 2023

Selected to Rising Stars list in Super Lawyers - Washington, 2002, 2009-2012

Selected to Super Lawyers list in Super Lawyers - Washington, 2020-2023

## PUBLICATIONS & PRESENTATIONS

Guest Lecturer at Harvard Law School, "Latest Developments in Nuance Law" (November 1, 2023)

Guest Lecturer at Stanford Law School, "Litigating MDLs" (March 2, 2023)

Emory Institute for Complex Litigation Conference on MDL Rules and Innovation, Miami (March 9-10, 2022).

Guest Lecturer at Seattle University School of Law, "MDL Mass Tort and Class Action Cases" (March 8, 2022).

Gretchen Freeman Cappio, "Mental Health on College Campuses Amid Covid," Letter to the Editor in The New York Times, (January 4, 2022)

Guest Lecturer at Seattle University School of Law, "Complex Litigation, MDL Experience, and Bellwether Trials" (September 23, 2021).

Presenter at Colorado County Attorneys Association Virtual Summer Conference, Statewide Opioid Litigation Update (June 11, 2021).

Guest Lecturer at Seattle University School of Law, "MDL Mechanics Q&A" (March 8, 2021).

Guest Lecturer at Stanford Law School, "From Takeoff to Landing: Litigating MDLs" (February 23, 2021).

Law Seminars International Presents: The 16th Annual Conference On Litigating Class Actions (November 12-13, 2020).

Presenter, Trials in Class Actions and Post-Trial Motions  
Panelist, Settlement Strategies

Guest Lecturer at Stanford Law School, "From Takeoff to Landing: Litigating the MDL" (February 14, 2020).

Colorado Municipal League: Annual Seminar on Municipal Law (September 27-28, 2019).

Law Seminars International Presents: The 15th Annual Conference on Litigating Class Actions (May 9-10, 2019).

Presenter, Settlement Strategies

Guest Lecturer at Stanford Law School, Multidistrict Litigation (February 22, 2019).

Presenter at ABA Section of Litigation, Discovery and Ethical "Rules of the Road" for Working with Expert Witnesses (July 19, 2018).

Presenter at Bristol Myers Squibb Panel, UC-Irvine, UC-Berkeley, & Emory University Schools of Law First Joint Coordination Conference at Berkeley (June 5, 2018).

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## PUBLICATIONS & PRESENTATIONS (CONT.)

Law Seminars International Presents: The 14th Annual Conference On Litigating Class Actions (May 10-11, 2018).

Presenter, Consumer Protection and the Opioid Crisis

Presenter, Corporate Fraud Against Consumers

Presenter, Settlement Strategies for Class Actions and Multidistrict Litigation.

Presenter at HarrisMartin's Plaintiff Opioid MDL Conference, "Causation and Science" (January 8, 2018).

Presenter at HarrisMartin MDL Conference, "Opioid, Equifax & Talcum Powder, Equifax Data Breach: What Happened? Who Was Impacted? What Are the Damages?" (November 29, 2017).

Presenter at National Consumer Law Center, "Effectively Persuading Your Judge," NCLC Consumer Class Action Symposium (November 18, 2017).

Presenter at Practising Law Institute 22nd Annual Consumer Financial Services Institute (2017).

Panelist at Law Seminars International – 13th Annual Conference on Litigating, "Settlement Strategies for Class Actions and Multidistrict Litigation" (April 28, 2017).

Panelist at EmoryLaw NextGen Conference and EmoryLaw Fed. Judicial Ctr. and JPML Program (December 14-16, 2016).

Panelist at HarrisMartin's MDL Conference, "Settlements in Mass Tort and Class Action Litigation" (July 27, 2016).

Panelist at American Association for Justice webinar, "Dissecting the U.S. Supreme Court Decision in *Spokeo*," Inc. v. Robins (May 26, 2016).

Panelist at Law Seminars International, "VW Diesel Emissions Litigation: A Case Study of the Interplay Between Government Regulatory Activity and Consumer Fraud Class Actions" (May 6, 2016).

Presenter at PLI Consumer Financial Services Institute 2016, "Data Security & Privacy Issues" (May 12, 2016).

Panelist at HarrisMartin Pharmaceutical and Environmental Mass Tort Litigation, Class Action and Data Breach Litigation (March 30, 2016).

Panelist at Bridgeport Consumer Class Action Litigation Conference, "Current State of the Law on Ascertainability and Standing" (January 8, 2016).

Panelist at HarrisMartin MDL Conference Volkswagen and Pharmaceutical Update: RICO and Additional Defendants (December 2, 2015).

Panelist at Bridgeport Volkswagen Class Action & MDL Seminar – Diesel Emissions Scandal (November 23, 2015).

Panelist at HarrisMartin Volkswagen Diesel Emissions Litigation Conference: RICO and Additional Defendants (October 27, 2015).

Panelist at Law Seminars International, The Eleventh Annual Comprehensive Conference on Class Actions, "Data Breaches: Cases at the Intersection of Class Actions and Internet Technology" (June 4, 2015).

Panelist at ABA Section of Dispute Resolution Meeting 17th Annual Spring Conference, "Solutions in Seattle: A View From the Trenches: What's Working and What's Not Working with Mediators" (April 16, 2015).

Presenter at HarrisMartin Data Breach Litigation Conference, "Coming of Age: The Differences between Employee and Consumer Cases" (March 25, 2015).

Presenter at Practising Law Institute, Managing Complex Litigation 2014: Class Actions; Mass Torts & MDL (October 21, 2014).

Presenter at Class Action Conference, "Recent Settlement Trends in Class Actions and Multidistrict Litigation: A Detailed Look at the Process for Settling and Administering Settlements" (June 13, 2014).

Presenter at Harris Martin's MDL Conference, "Target Data Security Breach Litigation: Recent Development, Issues in Data Breach Litigation" (March 26, 2014).

Presenter at Law Seminars International, Class Actions and Other Aggregate Litigation Seminar: Post-Certification Motion Issues in Class Actions (May 14, 2013).

Panelist at Chartis Security & Privacy Seminar (October 20, 2011).

Presenter at 20th Annual American Bar Association Tort Trial and Insurance Practice Section Spring CLE Meeting, "Toxic Torts: Toxins In Everyday Products" (April 1, 2011).

Gretchen Freeman Cappio, Erosion of Indigenous Right to Negotiate in Australia, 7 Pac. Rim L. & Pol'y J. 405 (1998).

# KELLER ROHRBACK

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## ALISON CHASE

### CONTACT INFO

801 Garden Street, Suite 301  
Santa Barbara, CA 93101  
(805) 456-1496  
achase@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Commercial Litigation
- Environmental Litigation
- International Law
- Securities

### EDUCATION

#### Emory University

B.A., *magna cum laude*, 2000,  
Political Science and Philosophy,  
Phi Beta Kappa

#### Yale Law School

J.D., 2003; Editor, *Yale Law Journal*,  
Articles Editor, *Yale Journal of  
International Law*

**Alison is a partner in Keller Rohrback's nationally-recognized Complex Litigation Group and a member of the firm's Executive Committee.**

Alison's practice emphasizes cutting-edge complex litigation and she has been appointed to leadership positions by several state and federal courts. Alison is deeply committed to civility, teamwork, and working cooperatively with opposing counsel, having clerked for Judge J. Clifford Wallace of the United States Court of Appeals for the Ninth Circuit and Judge Valerie Baker Fairbank of the United States District Court for the Central District of California.

*Antitrust Litigation:* Alison represented health plan payors and consumers affected by EpiPen price gouging, for which she and the team were honored by the American Antitrust Institute with an Outstanding Antitrust Litigation Achievement in Private Practice Award in 2022. In her antitrust practice, Alison currently represents insurers, payors, and consumers in other high-stakes pharmaceutical industry litigation relating to the pricing of prescription drugs, including actions arising from alleged pay-for-delay agreements, product hop schemes, and other anticompetitive conduct.

*Financial Industries:* Alison also has a deep background in financial industry litigation, including representation of several Federal Home Loan Banks in mortgage-backed securities litigation that resulted in the recovery of hundreds of millions of dollars for the firm's clients. She has also been appointed class counsel in litigation relating to novel FinTech and in other ongoing financial industry litigation.

*Consumer and Environmental Protection:* Alison was appointed settlement class counsel in litigation arising from the largest natural gas leak in U.S. history, *In re Southern California Gas Leak Cases*. Similarly, Alison has represented property owners, businesses, and other victims of the 2015 Santa Barbara Oil Spill in seeking redress for their injuries.

*International Law and Appellate Work:* Alison represented a class of the sitting judges of the State of Arizona in constitutional litigation that was resolved in her clients' favor by the Arizona Supreme Court. Alison was also a member of the legal team nominated for the 2016 Nobel Peace Prize for representing the Republic of the Marshall Islands before the International Court of Justice.

As a single mom, Alison cares deeply about protecting children, families, and opportunities for all.

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## CLERKSHIPS

The Honorable J. Clifford Wallace, U.S. Court of Appeals for the Ninth Circuit

The Honorable Valerie Baker Fairbank, U.S. District Court for the Central District of California

## BAR & COURT ADMISSIONS

2003, California

2004, United States District Court for the Eastern District of California

2007, United States District Court for the Central District of California

2010, Ninth Circuit Court of Appeals

2011, Arizona

2014, United States District Court for the Northern District of California

2016, United States District Court for the Southern District of California

## PROFESSIONAL & CIVIC INVOLVEMENT

State Bar of California, *Member*

State Bar of Arizona, *Member*

Santa Barbara Lawyers Association, *Member*

Santa Barbara Women's Lawyers Association, *Member*

California Women's Lawyers Association, *Member*

## HONORS & AWARDS

American Antitrust Institute - Antitrust Enforcement Award Honoree, in the category of "Outstanding Antitrust Litigation Achievement in Private Law Practice" for work in *In re EpiPen Marketing, Sales Practices, and Antitrust Litigation*, 2022

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023

Finalist, Morris Tyler Moot Court

Recipient, Gherini Prize for Outstanding Paper in International Law

## PUBLICATIONS & PRESENTATIONS

Alison Chase, *The Politics of Lending and Reform: The International Monetary Fund and the Nation of Egypt*, Stanford Journal of International Law, Vol. 93 (2006).

Alison Chase, *Legal Mechanisms of the International Community and the United States Concerning the State Sponsorship of Terrorism*, Virginia Journal of International Law, Vol. 41 (2004).

Alison Chase, *Book Review: The Invention of Peace*, Yale Journal of International Law, Vol. 27 (2002).

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## FELICIA CRAICK

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
fcraick@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Governments and Municipalities

### EDUCATION

#### Northeastern University

B.S., *summa cum laude*, 2014,  
Criminal Justice

#### Harvard Law School

J.D., *cum laude*, 2018

**Felicia delves deep into the issues at hand to get concrete results for her clients.** As an attorney in Keller Rohrback's nationally recognized Complex Litigation Group, Felicia is able to combine her interest in people with her drive to hold bad actors responsible for wrongdoing.

Drawn to complex cases, Felicia currently focuses on multidistrict litigation, including representing government entities in the fight against the youth vaping epidemic in the *In re JUUL Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation* and representing consumers in cases where the business practices of drug manufacturers, pharmacy benefit managers, and other entities have driven up the costs of pharmaceuticals to the detriment of consumers, such as in the *In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*.

Prior to joining Keller Rohrback as an attorney, Felicia received her J.D., cum laude, from Harvard Law School, where she served as an Executive Article Editor of the Harvard Law & Policy Review. Felicia gained practical legal experience as a clinical student attorney, representing low-income survivors of domestic violence in family court and prosecuting criminal cases in state court, and as a summer associate at Keller Rohrback. Driven by the work of complex litigation and the firm's justice-oriented community, Felicia returned to Keller Rohrback at the conclusion of her clerkship with Washington State Supreme Court Chief Justice Mary Fairhurst.

Outside of work, Felicia enjoys hiking, watching soccer and gymnastics, and reading fantasy novels.

### BAR & COURT ADMISSIONS

2019, Washington  
2019, Western District of Washington  
2022, U.S. Court of Appeals for the Ninth Circuit  
2023, Supreme Court of the United States

### PROFESSIONAL & CIVIC INVOLVEMENT

Washington Women Lawyers, *Member*  
Washington State Bar Litigation Section, *Member*  
Washington State Bar Criminal Law Section, *Member*

### HONORS & AWARDS

American Antitrust Institute - Antitrust Enforcement Award Honoree, in the category of "Outstanding Antitrust Litigation Achievement in Private Law Practice" for work in *In re EpiPen Marketing, Sales Practices, and Antitrust Litigation*, 2022

Selected to Rising Stars list in *Super Lawyers - Washington*, 2021-2023

Recognized by Puget Sound business Journal as a "Next Gen in Law" recipient, September 2023

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## ADELE DANIEL

### CONTACT INFO

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(206) 623-1900  
adaniel@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Data Privacy Litigation

### EDUCATION

#### Carleton College

B.A., magna cum laude, 2014,  
History

#### University of Michigan Law School

J.D., Order of the Coif, magna cum laude, 2017

### BAR & COURT ADMISSIONS

2018, Washington

**Adele believes the civil justice system can level the playing field between consumers and corporations.**

As an attorney in our nationally recognized Complex Litigation Group, Adele has participated in significant victories and settlements in class actions and multidistrict litigations. She has made key contributions to several automotive-defect class actions; a class action against Facebook for user privacy violations; the City of Seattle's lawsuit against Monsanto for environmental contamination; and a class action against an insurance company over annuity factoring, among other cases. Her pro bono practice focuses on amici briefing for Washington nonprofits.

Before joining KR in 2019, Adele graduated magna cum laude from University of Michigan Law School, where she served as an Articles Editor for the Michigan Law Review. Adele clerked for Chief Judge Michael Mosman at the U.S. District Court for the District of Oregon and Judge Ronald Gould at the U.S. Court of Appeals for the Ninth Circuit.

In her spare time, Adele heads to Washington's mountains for camping and whitewater kayaking.

### PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*

### HONORS & AWARDS

Selected to Rising Stars list in *Super Lawyers - Washington*, 2022-2023

Recognized by Puget Sound business Journal as a "Next Gen in Law" recipient, October 2023

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## JULI FARRIS

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801 Garden Street, Suite 301  
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1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900

[jfarris@kellerrohrback.com](mailto:jfarris@kellerrohrback.com)

### PRACTICE EMPHASIS

- Antitrust and Trade Regulation
- Class Actions
- Consumer Protection
- Data Breach
- Employee Benefits & Retirement Security
- Environmental Litigation
- Fiduciary Breach
- Governments and Municipalities
- International Law
- Securities
- Whistleblower

**Juli Farris' clients count on her commitment to excellence to meet their legal needs.** Juli has been a member of Keller Rohrback's nationally-recognized Complex Litigation Group for more than 30 years, and has played a key role in many of the firm's most significant and groundbreaking class action lawsuits. She currently serves as co-lead counsel representing fishers, property owners and other victims of the 2015 oil spill resulting from the rupture of the Plains' All American Pipeline near Santa Barbara, and as co-lead counsel representing consumers in litigation against Rodan & Fields, each of which resulted in landmark settlements. She is actively involved in the firm's representation of victims of the Blackbaud data breach, which impacted millions of non-profit donors and hospital patients and victims of the recent T-Mobile data breach. She is also part of the team pursuing claims to hold drug manufacturers accountable for the current opioid health crisis, representing cities and counties in California in that multi-district litigation and related intrastate negotiations, and represents patients affected by outsized pricing of Insulin and other essential drugs.

In addition to her work on environmental torts, consumer protection and whistleblower litigation, Juli has represented both plaintiffs and defendants in state and federal litigation involving banking and securities regulation, antitrust, ERISA fraud and other areas, including key roles in antitrust litigation against the airlines industry and carpet manufacturers, ERISA company stock cases against WorldCom and Enron among others, and securities litigation against Ikon, Phillip Morris and other entities.

After graduation from Stanford Law School, Juli served as a judicial law clerk for Judge E. Grady Jolly of the U.S. Court of Appeals, Fifth Circuit, and practiced law at Sidley Austin in Washington D.C., on litigation and appeals covering a wide array of subject matters.

### EDUCATION

#### Stanford University

B.A., 1982, English

#### Stanford Law School

J.D., 1987, Notes Editor, *Stanford Law Review*

### BAR & COURT ADMISSIONS

1988, Washington  
1989, California  
1990, District of Columbia  
1995, Western District of Washington

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1997, U.S. Court of Appeals for the Ninth Circuit  
1999, Central District of California  
2000, Northern District of California  
2001, Eastern District of California  
2003, Southern District of California  
2003, U.S. Court of Appeals for the Fifth Circuit  
2003, U.S. Court of Appeals for the Eleventh Circuit  
2022, Eastern District of Michigan

## PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*  
Loren Miller Bar Association, *Member*  
American Bar Association, *Member*  
California State Bar Association, *Member*  
Washington State Bar Association, *Member*  
Washington State Association for Justice, *Member*  
Santa Barbara County Bar Association, *Member*  
Santa Barbara Women Lawyers, *Member*  
American Bar Foundation, *Member*  
The National Association of Public Pension Attorneys, *Member*  
Legal Foundation of Washington, *Vice President*  
Seattle Rep Theater Board of Trustees, *Vice President*  
Seattle Art Museum Board of Trustees, *Member*  
Black Trustee Alliance for Art Museums, *Member*  
Treehouse, *Board Member Emeritus, Past Board Chair*  
Susan G. Komen, Puget Sound Affiliate, *Former Board Member*

## PUBLICATIONS & PRESENTATIONS

Andrew D. Freeman & Juli E. Farris, *Grassroots Impact Litigation: Mass Filing of Small Claims*, 26 U.S.F.L. Rev. 261 (1992).

Editorial Board, *Washington State Securities Law Deskbook* (2012)

## HONORS & AWARDS

Selected to Super Lawyers Top 50 Women list in Super Lawyers – Washington, 2020  
Selected to Super Lawyers list in *Super Lawyers - Washington*, 2015-2023  
Selected to Rising Stars list in *Super Lawyers - Washington*, 2000-2001  
Recipient of Promise of One Award from the Puget Sound Affiliate of Susan G. Komen for the Cure, 2013  
Best Lawyers in America®, Litigation -Securities, Seattle, Washington, 2024

## REPRESENTATIVE MATTERS

*Andrews v. Plains All Am. Pipeline, L.P.*, No. 2:15-cv-04113 (C.D. Cal.)  
*In re Blackbaud, Inc., Customer Data Sec. Breach Litig.*, MDL No. 2972 (D.S.C.)  
*In re T-Mobile Customer Data Sec. Breach Litig.*, MDL No. 3019 (W.D. Mo.)  
*In re Nat'l Prescription Opiate Litig.*, MDL No. 2804 (N.D. Ohio)  
*Barbara Lewis, et al., v. Rodan & Fields, LLC*, No. 4:18-cv-02248-PJH, (N.D. Cal.)  
*In re Insulin Pricing Litigation*, No. 17-00699 (D. N.J.)  
*In re IKON Office Sols., Inc.*, 277 F.3d 658 (3rd Cir. 2002)  
*In re WorldCom, Inc. ERISA Litig.*, 354 F. Supp. 2d 423 (S.D.N.Y. 2005)  
*Hansen v. Ticket Track, Inc.*, 213 F.R.D. 412 (W.D. Wash. 2003)  
*In re Scientific-Atlanta, Inc. Sec. Litig.*, 239 F. Supp. 2d 1351 (N.D. Ga. 2002)  
*In re Domestic Air Transp. Antitrust Litig.*, 137 F.R.D. 677 (N.D. Ga. 1991)  
*In re Potash Antitrust Litig.*, 954 F. Supp. 1334 (D. Minn. 1997)

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## ERIC FIERRO

### CONTACT INFO

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Phoenix, AZ 85012  
(602) 230-6331  
efierro@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Commercial Litigation
- Consumer Protection
- eDiscovery
- Financial Products and Services
- Intellectual Property
- Mass Personal Injury
- Securities
- Whistleblower

### EDUCATION

#### Arizona State University

B.S., 2002, Justice Studies

#### New England School of Law

J.D., 2006, Senior Editor, *New England Journal of International and Comparative Law*

**Eric Fierro bridges the gap between technology and the law.** Eric practices in Keller Rohrback's nationally recognized Complex Litigation Group and oversees the firm's legal technology group, providing electronic discovery and litigation support to colleagues and clients on a wide array of cases. Whether he is helping to preserve significant amounts of data for institutional clients or walking an individual through the data collection process to increase accuracy and maximize privacy, Eric works closely with clients to understand their needs and provide solutions.

Eric has over 15 years of experience with legal technology. While attending law school in the evening, Eric worked full-time for the U.S. Attorney's Office for the District of Massachusetts where he provided technical support for all criminal and civil units, including the healthcare fraud, securities fraud, and other white collar crime units. Eric also worked as a summer law clerk for the computer crime and intellectual property unit at the U.S. Attorney's Office. Before joining Keller Rohrback, he was a managing consultant for Huron Consulting Group, providing consultative services for complex electronic discovery and document review matters.

When not at work, Eric enjoys spending time with his family, golfing, and rebuilding off-road vehicles in his garage.

### BAR & COURT ADMISSIONS

2009, Arizona

2009, U.S. District Court for the District of Arizona

### PROFESSIONAL & CIVIC INVOLVEMENT

Arizona State Bar Association, *Member*

### PUBLICATIONS & PRESENTATIONS

Presenter, 2019 ASU-Arkfeld eDiscovery and Digital Evidence Conference, "Everyday Devices and the Internet of Things: Working with ESI in the Forest of Smart Device."

Presenter, 2018 Complex Litigation E-Discovery Forum, Plaintiff Offensive Review Workflows and Tips, September 2018.

Presenter, 2017 Complex Litigation E-Discovery Forum, Best Practice for Plaintiff Document Collection, September 2017.

Presenter, 2016 Complex Litigation E-Discovery Forum, Negotiating a State of the Art ESI Protocol, September 23, 2016.

Panelist, IPro Innovations for The Sedona Conference, The 2015 Federal Rule Amendments: Has Anything Really Changed? April 2016.

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## KYLIE FISHER

### CONTACT INFO

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Seattle, Washington 98101  
(206) 623-1900  
kfisher@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Commercial Litigation
- Governments & Municipalities

### EDUCATION

**University of Washington**  
B.A., 2017, Law, Societies, & Justice  
Minor in Philosophy, *cum laude*

**University of Washington School  
of Law**

J.D., 2020, high honors, Order of the  
Coif

**Kylie's passion for law is fueled by helping to give a voice to the underrepresented and bringing power back to those who have been neglected by society.**

She brings a quality of persistence to Keller Rohrback's nationally recognized Complex Litigation Group, delivering the advocacy and passion needed to create lasting change for a wide set of individuals.

Initially discovering her interest in law as a high school student, Kylie developed a passion for finding workable solutions to complex problems within the legal realm. Viewing the practice of law as one big puzzle with moving parts and power imbalances, she has embraced the challenge of trying to bring more justice and equity to the world by doing her part to solve this puzzle.

In 2020, Kylie graduated from University of Washington School of Law with high honors and was awarded the Dean's Medal. Kylie also received the CLEA Outstanding Clinical Student Award for her asylum work with the Children and Youth Advocacy Clinic. During law school, Kylie served as an Articles Editor and published a Student Comment for the University of Washington Law Review.

Before joining Keller Rohrback, Kylie clerked for Judge Rosanna M. Peterson at the United States District Court for the Eastern District of Washington and for Justice Debra L. Stephens at the Washington State Supreme Court, expanding her research and legal writing capabilities in a professional environment.

In her free time, Kylie enjoys puzzles of all kinds, pub trivia, intramural soccer, and playing fetch with her labradoodle, Junie B. Bones.

### BAR & COURT ADMISSIONS

2020, Washington

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## ALISON GAFFNEY

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
agaffney@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Opioid Litigation
- Governments & Municipalities
- Mass Personal Injury/Tort
- Environmental Litigation

### EDUCATION

#### Swarthmore College

B.A., 2002, Linguistics and Languages (Spanish & Mandarin Chinese); McCabe Scholar

#### University of California, San Diego

M.A., 2007, Latin American Studies

#### University of Washington School of Law

J.D., 2012

**Alison Gaffney is a fighter. Once she takes on a client—as a partner in Keller Rohrback's nationally recognized Complex Litigation Group or as a cooperating attorney with the ACLU—she commits to doing everything she can to fight for justice for her client.**

That tenacity was evident in her pursuit to reunite Somali refugee Joseph Doe with his family after their separation was prolonged because of the Muslim Travel Ban. Alison is a member of the team that sued the Trump Administration on behalf of Doe and other individuals and organizations harmed by the travel ban in *Doe, et al. v. Donald Trump, et al.* (W.D. Washington). Three weeks after the court granted Doe's motion for a preliminary injunction, Alison had the honor of seeing Doe reunited with his wife and three sons in Seattle.

Alison is passionate about using litigation to combat complex world problems. In the National Prescription Opiate Multi-District Litigation, Alison represents over 70 city, county, and tribal governments in their fight to hold prescription opioid manufacturers and distributors accountable for the devastating effects these drugs have had on their communities. She has played a key role within Keller Rohrback's Opioid Litigation team, and in the national MDL she has been involved in drafting the master complaints, dispositive briefing, discovery, and preparing and defending medical experts. In addition, Alison represents school districts and counties in litigation against JUUL Labs, Inc. and other e-cigarette manufacturers for targeting youth with their marketing and product design and addicting a new generation to nicotine.

Both before and during law school, Alison's passion for justice and human rights drew her to immigration law and policy. She completed a master's degree focused on international migration, and as a law student, she interned with the Seattle Immigration Court and the Northwest Immigrant Rights Project (NWIRP) in Tacoma, where she gave "Know Your Rights" presentations at the Northwest Detention Center. She represented clients in deportation proceedings through NWIRP as well as the law school's Immigration Law Clinic, and she continues to volunteer as a pro bono attorney for NWIRP.

When she is not fighting for her clients, Alison is busy keeping up with her two sons, scrambling and climbing with The Mountaineers, and generally enjoying the beauty of the Pacific Northwest.

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## BAR & COURT ADMISSIONS

2012, Washington

2013, U.S. District Court for the Western District of Washington

2013, U.S. Court of Appeals for the Second Circuit

2014, U.S. Court of Appeals for the Ninth Circuit

2015, U.S. District Court for the Eastern District of Washington

2016, U.S. District Court for the Central District of Illinois

2017, U.S. District Court for the Eastern District of Wisconsin

2018, U.S. District Court for the District of Colorado

2020, U.S. Court of Appeals for the District of Columbia

## PROFESSIONAL & CIVIC INVOLVEMENT

ACLU Cooperating Attorney

Washington State Bar Association, *Member*

King County Bar Association, *Member*

Mother Attorneys Mentoring Association of Seattle (MAMAS), *Member*

Northwest Immigrant Rights Project, *Pro Bono Attorney*

## HONORS & AWARDS

Selected to Rising Stars list in *Super Lawyers - Washington*, 2020-2022

## LANGUAGES

Spanish

# KELLER ROHRBACK

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## LAURA R. GERBER

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
lgerber@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Class Action & Consumer Litigation
- Consumer Protection
- Employee Benefits & Retirement Security
- Fiduciary Breach
- Financial Products & Services
- Governments & Municipalities
- Institutional Investors
- Whistleblower

**Laura R. Gerber is a strong advocate for her clients.** From her early years in a whistleblower protection organization, to her current practice litigating against some of America's largest corporations, Laura has built her career as a trusted advocate for plaintiffs. Laura represents her clients with skill, tact and diplomacy. As a result, Laura's clients trust her to listen carefully, keep them informed, provide excellent legal advice, and to diligently pursue their interests in litigation against powerful defendants.

For over fifteen years, Laura has practiced in Keller Rohrback's Complex Litigation Group where she has developed a diverse practice with a focus on holding corporations and other institutions accountable. Laura is experienced in litigating consumer protection, RICO, antitrust, ERISA, environmental, excessive fee, breach of contract and breach of fiduciary duty, qui tam, and Ponzi scheme matters.

Laura's strategic persistence in complex cases has led to impressive results with her clients receiving substantial recoveries. Laura played a key role in managing litigation enhancing the security of pension plan benefits for healthcare workers at religiously affiliated healthcare systems, resulting in settlements exceeding \$800 million.

In addition to her J.D., Laura has a Masters in Public Administration.

### EDUCATION

#### Goshen College

B.A., 1994, History, Economics

#### University of Washington School of Law

J.D., 2003

#### Evans School of Public Affairs, University of Washington

M.P.A., 2003

### PUBLICATIONS & PRESENTATIONS

Speaker, American Conference Institute's 8th National Forum on ERISA Litigation, October 2014, (New Trends in Church Plan Litigation).

L. Gerber and R. Giovarelli, *Land Reform and Land Markets in Eastern Europe*, Food and Agriculture Organization of the United Nations (2005).

David Weissbrodt, Penny Parker, Laura Gerber, Muria Kruger, Joe W. (Chip) Pitts III, *A Review of the Fifty-Fourth Session of the Sub-Commission on the Promotion and Protection of Human Rights*, 21 NETH Q. HUM. RTS. 291 (2003)

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## BAR & COURT ADMISSIONS

2004, Washington

2006, U.S. District Court for the Eastern District of Washington

2006, U.S. District Court for the Western District of Washington

2010, U.S. District Court for the Northern District of Illinois

2013, U.S. District Court for the District of Colorado

2016, U.S. District Court for the Southern District of Illinois

2016, U.S. District Court for the Eastern District of Missouri

2016, U.S. District Court for the Northern District of Ohio

2016, U.S. District Court for the Western District of Oklahoma

2016, U.S. District Court for the Central District of Illinois

2016, U.S. District Court for the Northern District of Indiana

2006, U.S. Court of Appeals for the Ninth Circuit Court

2014, U.S. Court of Appeals for the Sixth Circuit Court

2015, U.S. Court of Appeals for the Tenth Circuit Court

2019, U.S. Court of Appeals for the Seventh Circuit Court

2019, U.S. Court of Appeals for the Eighth Circuit Court

2017, Supreme Court of the United States

## PROFESSIONAL & CIVIC INVOLVEMENT

Campaign for Equal Justice, *Board Member*, 2018-present

Hanford Challenge, *Board of Directors*, 2018-present

Washington Appleseed, *Board of Directors*, 2012-2019

King County Bar Association, *Member*

Washington State Bar Association, *Member*

Federal Bar Association, *Member*

American Bar Association, *Member*

American Bar Foundation, *Fellow*

American Association for Justice, *Member*

Mother Attorney Mentoring Association (MAMA), *Member*

## HONORS & AWARDS

Selected to Rising Stars list in Super Lawyers - Washington, 2009, 2014

Selected to Super Lawyers list in Super Lawyers - Washington, 2020-2023

Best Lawyers in America®, Employee Benefits (ERISA) Law - Seattle, Washington, 2024

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## MATTHEW GEREND

### CONTACT INFO

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(206) 623-1900  
mgerend@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Appeals
- Class Action & Consumer Litigation
- ERISA & Employee Benefits

### EDUCATION

#### University of Wisconsin

B.A., with distinction, 2005,  
Political Science, Phi Beta Kappa

#### Georgetown University Law Center

J.D., *cum laude*, 2010; Executive Articles Editor, *Georgetown Journal on Poverty Law and Policy*

**Matthew Gerend practices in the firm's nationally recognized Complex Litigation Group, representing employees, benefit plans, and consumers in litigation to enforce antitrust laws and the Employee Retirement Income Security Act ("ERISA").**

Matt has represented plaintiffs in federal courts across the country to redress harms stemming from breaches of fiduciary duties, investment fraud, anticompetitive conduct, and other misconduct that harms employees, benefit plans, and consumers.

Matt has also represented health plan members and health plans in litigation to hold pharmacy benefit managers and drug manufacturers accountable for unfair, deceptive, and anticompetitive practices that artificially drive up the prices for critical medications, such as the EpiPen and the MS drug Copaxone.

Matt became interested in the laws protecting retirement and health benefits as a clerk with AARP Foundation Litigation, where he helped draft a number of amicus curiae briefs filed in the U.S. Supreme Court and U.S. Courts of Appeals regarding the proper interpretation and implementation of ERISA. During law school, Matt also worked as an intern with the Community Development Project at the Lawyers' Committee for Civil Rights Under Law.

Matt believes that lawyers have a unique ability to effect social change, an ethic that has guided his work representing individuals and benefit plans against those engaged in divisive and fraudulent practices.

### BAR & COURT ADMISSIONS

2010, Washington  
2011, U.S. District Court for the Western District of Washington  
2012, U.S. Court of Appeals for the Third Circuit  
2013, U.S. District Court for the Eastern District of Michigan  
2014, U.S. Court of Appeals for the Sixth Circuit  
2014, U.S. Court of Appeals for the Ninth Circuit  
2015, U.S. Court of Appeals for the Seventh Circuit  
2015, U.S. District Court for the District of Colorado  
2016, U.S. Court of Appeals for the Fourth Circuit  
2016, U.S. Court of Appeals for the Tenth Circuit  
2016, Supreme Court of the United States  
2018, U.S. Court of Appeals for the Second Circuit  
2018, U.S. District Court for the Eastern District of Wisconsin

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## PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar Association, *Member*

## HONORS & AWARDS

Selected to Rising Stars list in *Super Lawyers - Washington*,  
2014-2022

National Trial Lawyers: Top 100 Civil Plaintiff Trial Lawyers  
in Washington

## PUBLICATIONS & PRESENTATIONS

Contributing Author, *Zanglein et. al., ERISA Litigation*  
(Bloomberg BNA 2015).

Deborah M. Austin and Matthew M. Gerend, *The Scope  
and Potential of Section 3 as Currently Implemented*, 19 J.  
Affordable Housing & Commun. Dev. L. 89 (2009).

# KELLER ROHRBACK

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## GARY GOTTO

### CONTACT INFO

3101 N Central Avenue, Ste. 1400  
Phoenix, AZ 85012-2600  
(602) 230-6322  
ggotto@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Commercial Litigation
- Debtor-Creditor
- Employee Benefits and Retirement Security
- Fiduciary Breach
- Financial Products and Services
- Institutional Investors
- Real Estate Securities

### EDUCATION

**University of Pennsylvania**  
B.A., *cum laude*, 1976

**Arizona State University of College of Law**

J.D., *summa cum laude*, 1982,  
Order of the Coif

**Gary Gotto's diverse experience helps him meet his clients' diverse needs.** Gary is a member of Keller Rohrback's nationally-recognized Complex Litigation Group. He has a broad range of practice experience and interests, including all aspects of corporate and real estate transactional work, securities issuance and compliance, Chapter 11 bankruptcy and workout matters, and general commercial and ERISA litigation. Gary speaks and teaches regularly on a number of topics, including an annual real estate bankruptcy case study presented at the Harvard Law School. He has practiced in Phoenix since 1982.

### BAR & COURT ADMISSIONS

1982, Arizona  
1982, U.S. District Court for the District of Arizona  
2005, U.S. Court of Appeals for the Second Circuit

### PROFESSIONAL & CIVIC INVOLVEMENT

State Bar of Arizona, *Member; Chair, Subcommittee on Revising the Limited Partnership Act, Business Law Section, 1991*  
Adjunct Professor Law, Arizona State University College of Law, 1989

### PUBLICATIONS & PRESENTATIONS

Co-Author, *Arizona Legal Forms: Limited Liability Companies and Partnerships* (1996-2002).  
Co-Author, *Limited Liability Companies and Partnerships* (1996-1997).  
Guest Lecturer, *Chapter 11 Reorganizations*, Harvard Law School, 1996-1997, 1999, 2001, 2002.  
Guest Lecturer, *Chapter 11 Reorganizations*, Stanford Law School, 2003.  
Speaker, National Business Institutes, *Negotiating and Drafting Acquisition Agreements in Arizona*, 1997.  
Speaker, National Business Institutes, *Choice of Business Entity in Arizona*, 1996.  
Speaker, National Business Institutes, *Limited Liability Companies*, 1994.  
Speaker, Professional Education Systems, Inc., Non-Corporate Business Forms, 1994.  
Speaker, State Bar of Arizona, Limited Liability Companies, 1994.  
Speaker, National Business Institutes, Arizona Limited Liability Company Legislation, 1993.

### HONORS & AWARDS

Best Lawyers in America®, Litigation - Securities, Phoenix, Arizona 2024

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## BENJAMIN GOULD

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
bgould@kellerrohrback.com

### PRACTICE EMPHASIS

- Appeals
- Class Actions
- Constitutional Law
- Data Privacy Litigation
- Employee Benefits and Retirement Security
- Fiduciary Breach
- Institutional Investors

### EDUCATION

#### Yale University

B.A., *summa cum laude*, 2002,  
English, Phi Beta Kappa

#### Yale Law School

J.D., 2006, Editor, *Yale Law Journal*,  
Editor-in-Chief, *Yale Journal of Law  
and the Humanities*

**Benjamin Gould makes the law work for his clients.** Ben, a Seattle native, practices in Keller Rohrback's nationally recognized Complex Litigation Group. His ability to clearly and efficiently communicate factual and legal issues to his clients and courts allows him to adeptly serve the interest of clients who have been harmed by others' misconduct.

Ben has extensive experience in appellate litigation and has active appeals pending in state and federal courts throughout the nation. He has secured successful results for his clients before the U.S. Courts of Appeals for the Second, Eighth, and Ninth Circuits and numerous state appellate courts. Ben also maintains an active practice outside the appellate arena. He has represented clients in cases involving pensions, securities, and consumer-protection law, among other subjects.

Before joining the firm, Ben worked as a Legal Fellow of the ACLU Drug Law Reform Project, litigating cases related to drug policy and civil rights. He also served as a clerk to two federal appellate judges: the Honorable Betty Binns Fletcher of the U.S. Court of Appeals for the Ninth Circuit and the Honorable Diana E. Murphy of the U.S. Court of Appeals for the Eighth Circuit.

### BAR & COURT ADMISSIONS

2007, California  
2010, District of Columbia  
2010, U.S. Court of Appeals for the Ninth Circuit  
2011, Washington  
2011, U.S. District Court for the Western District of Washington  
2012, U.S. District Court for the Eastern District of Washington  
2012, U.S. Court of Appeals for the Third Circuit  
2013, U.S. Court of Appeals for the Second Circuit  
2013, U.S. Court of Appeals for the Sixth Circuit  
2013, U.S. Court of Appeals for the Eighth Circuit  
2013, U.S. Court of Appeals for the Eleventh Circuit  
2014, U.S. Court of Appeals for the First Circuit  
2015, U.S. Supreme Court

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## PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*; Appellate Law Section

Washington State Bar Association, *Member*

Washington State Association for Justice, *Member*

## HONORS & AWARDS

Selected to Rising Stars lists in Super Lawyers - Washington, 2013-2019

Selected to Super Lawyers list in Super Lawyers - Washington, 2020-2023

Best Lawyers in America®, Appellate Practice, Seattle, Washington, 2024

## PUBLICATIONS & PRESENTATIONS

Benjamin Gould, "Alphabet Soup: Exploring Washington's Unique 'ABC Rule' on Attorney Fees From Collateral Litigation" in *Washington State Bar News*, Feb. 9, 2023.

Benjamin Gould, "On the Lawfulness of Awards to Class Representatives," *Cardozo Law Review de novo*, 2023.

Benjamin Gould, An Update on COVID-19 Coverage Litigation in Washington, in *Washington State Association for Justice: Trial News* (Nov. 2022)

Benjamin Gould, Washington's Flawed ABC Rule, 58 *Willamette L. Rev.* 251 (2022).

Benjamin Gould, "Inoculation Altercation: What Critics Misunderstand About the Washington Supreme Court Vaccination Order" in *Washington State Bar News*, Oct. 21, 2021.

Benjamin Gould, "Subject-Matter Jurisdiction in the Washington Supreme Court: Unsettling the Settled," in *NWSidebar*, November 2020.

Benjamin Gould, "Vaccine Law: An Overview of Current Law and a Look at the Future," in *NWLawyer*, November 2019.

Benjamin Gould, *Radical Jurisprudence*, 93 Wash. L. Rev. Online 49 (2018).

Speaker on Rule 23(f) and Class Action Appeals, American Bar Association 19th Annual National Institute on Class Actions, New Orleans, LA, 2015.

A Review of Antonin Scalia and Bryan A. Garner, *Reading Law* (2012), in *Trial News*, March 2014.

Derek W. Loeser & Benjamin Gould, *Point/Counterpoint: Is Rule 23(b)(1) Still Applicable to ERISA Class Actions?*, ERISA Compliance and Enforcement Library of the Bureau of National Affairs, Inc. (May 1, 2009).

Derek W. Loeser & Benjamin Gould, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty*, *Pension & Benefits Reporter*, Bureau of National Affairs, Inc. (Sept. 1, 2009).\*

Derek W. Loeser, Erin M. Riley & Benjamin Gould, *2010 ERISA Employer Stock Cases: The Good, the Bad, and the In Between-Plaintiffs' Perspective*, *Pensions & Benefits Daily*, Bureau of National Affairs, Inc. (Jan. 28, 2011).

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## CHRISTOPHER GRAVER

### CONTACT INFO

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### PRACTICE EMPHASIS

- Complex Litigation
- Debtor-Creditor
- Employee Benefits and Retirement Security

### EDUCATION

**St. John's College**  
B.A., 1976  
**University of New Mexico**  
J.D., *magna cum laude*, 1990  
Order of the Coif

**Chris is a member of Keller Rohrback's Complex Litigation and Bankruptcy Groups.** He has represented debtors, creditors, Court-appointed committees, and asset purchasers in Chapter 11 reorganization proceedings and workouts. In recent years he has also focused on representing plaintiffs in ERISA class actions. Chris has wide-ranging experience in complex commercial matters, from corporate restructuring to breach of fiduciary duty, commercial real estate, contracts, patent infringement, and environmental insurance coverage.

Together with colleagues, Chris has represented clients as diverse as pension plan participants in class actions challenging their employers' asserted exemption from ERISA, the committee of victims of clergy sexual abuse in the Chapter 11 reorganization of a Catholic diocese, an American Indian business corporation in a commercial dispute, and a developer restructuring a portfolio of real property interests nationwide.

A graduate of the Great Books liberal arts program at St. John's College in Santa Fe, Chris earned his law degree from the University of New Mexico Law School magna cum laude in 1990. While his practice is centered in the Southwest, Chris represents clients in federal courts coast to coast.

### BAR & COURT ADMISSIONS

1990, Arizona  
1990, United States District Court for the District of Arizona  
2004, United States Court of Appeals for the Ninth Circuit  
2015, United States Court of Appeals for the Fifth Circuit  
2015, United States Court of Appeals for the Tenth Circuit  
2017, United States Supreme Court

### PROFESSIONAL & CIVIC INVOLVEMENT

Arizona State Bar Association, *Member*  
Maricopa County Bar Association, *Member*

### PUBLICATIONS & PRESENTATIONS

Co-author, "Confirming the Catholics: The Diocese of Tucson Experience," *Norton Bankruptcy Law Advisor*, 2005.  
Co-author, "Representing the Tort Claimants' Committee in the Chapter 11 Case Filed by the Roman Catholic Diocese of Tucson," prepared for the National Conference of Bankruptcy Judges, 2005.  
"Decoding the Code," *AzBusiness Magazine*, 2005.  
Speaker, Maricopa County Bar Association presentation, *New Bankruptcy Code: Changing the Way Creditors are Treated*, 2006.

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## ZACK GUSSIN

### CONTACT INFO

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zgussin@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Governments and Municipalities

### EDUCATION

#### University of Washington

B.A., 2010, English: Creative Writing

#### University of Washington Law School

J.D., high honors, 2017; University of Washington Law Review, Moot Court Honor Board, Children and Youth Advocacy Clinic

**Zack develops solutions that effect change.** As an attorney in Keller Rohrback's Complex Litigation Group, Zack is able to combine his passion for social justice with his love of intellectual challenges.

A lifelong Washingtonian with a family of social workers and teachers, Zack is no stranger to fighting for equity. Drawn to KR's longstanding commitment to obtaining justice on behalf of our communities and the intricacy of the firm's litigation work, Zack first joined the firm as a summer associate in 2016, and eventually joined full-time as an associate attorney in 2020.

Zack graduated from University of Washington School of Law in 2017 with High Honors. During law school, he served on the University of Washington Law Review, the Moot Court Honor Board, and at the Children and Youth Advocacy Clinic. He also participated in the Willem C. Vis International Commercial Arbitration Moot competition and received four CALI Excellence for the Future Awards—an award given to the highest scoring student in each law school class. After graduating with his J.D., Zack served as a Judicial Law Clerk for the United States District Court for the Eastern District of Washington.

Outside of work, Zack enjoys reading poetry and spending time with his family and rescue dog, Aspen.

### BAR & COURT ADMISSIONS

2018, Washington

### HONORS & AWARDS

Selected to Rising Stars list in Super Lawyers - Washington, 2023

Best Lawyers: Ones to Watch® in America, Seattle, Washington:

- Litigation - Banking and Finance, Litigation, 2024
- Environmental - Seattle, Washington, 2024

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## IRENE M. HECHT

### CONTACT INFO

1201 Third Avenue, Suite 3200  
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(206) 623-1900  
ihecht@kellerrohrback.com

### PRACTICE EMPHASIS

- Insurance Litigation

### EDUCATION

#### University of Washington

B.A., *magna cum laude*, 1977,  
Speech Communication

#### University of Washington School of Law

J.D., with honors, 1980

**Irene Hecht is an experienced trial lawyer whose practice emphasizes insurance law**, particularly in coverage and bad faith litigation. She also has an active appellate practice and has represented insurance companies in trial courts, the Court of Appeals, and before the Washington State Supreme Court. Ms. Hecht has over 38 years of experience in coverage analysis and representation, including both commercial and personal lines, umbrella and excess coverage, and first- and third-party coverage. She has dealt with a wide variety of coverage issues including: advertising injury, personal injury, construction defect, automobile, underinsured motorist, personal injury protection, homeowner's, products-completed operations, E&O, and D&O. Ms. Hecht also actively advises and defends insurers in bad faith litigation, with respect to both first- and third-party matters.

### BAR & COURT ADMISSIONS

1980, Washington  
1980, U.S. District Court for the Western District of Washington  
1990, U.S. District Court for the Eastern District of Washington  
1998, U.S. Court of Appeals for the Ninth Circuit

### PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*  
Washington State Bar Association, *Member*  
American Bar Association, *Member; Tort and Insurance sections*  
Washington Defense Trial Lawyers Association, *Member*  
Northwest Insurance Coverage Association, *Member*  
International Association of Defense Counsel, *Member*

### HONORS & AWARDS

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2001, 2003, 2007, 2010-2023.

### PUBLICATIONS & PRESENTATIONS

Speaker, Washington Defense Trial Lawyers Annual Insurance Law Update, Hot Topics in UIM Coverage, 2012.  
Speaker, Washington Defense Trial Lawyers Annual Insurance Law Update, Duty to Settle, 2011.  
Editor, Washington Bar Association, Washington Motor Vehicle Accident Insurance Deskbook, 2009 Supplement, Chapter 3: Exclusions to Liability Coverage, 2009.

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## PUBLICATIONS & PRESENTATIONS (CONT)

National Business Institute, Inc., *Challenges In Washington Insurance Coverage Litigation--Analyzing Insurance Contract Provisions & Bad Faith Litigation*, 2003.

Speaker, Northwest Insurance Coverage Association, *Multiple Claims, Inadequate Limits: What is an Insurer to Do?*, 2002.

Washington State Bar Association – Editor, *Washington Motor Vehicle Accident Insurance Deskbook*, 2d ed., Chapter 3: Liability Insurance: Exclusions, 2001.

National Business Institute, Inc., *Insurance Law: Third-Party Coverage in Washington--Automobile Insurance & Rules of Professional Conduct and Conflicts of Interest*, 1998.

National Business Institute, Inc., *Insurance Law: Third-Party Coverage in Washington - Automobile Coverage*, 1996.

Speaker, King County Bar Association, *The Liability Insurance Policy - The Duties to Defend, Pay and Settle, Reservations of Rights Situations*, 1996.

Speaker, Seattle King County Bar Association, Special Issues in Defending an Insured, 1993.

Seattle King County Bar Association, *Annual Nuts and Bolts of Insurance Coverage, Part II - Special Issues in Defending an Insured*, 1992.

Speaker, Seattle-King County Bar Association, *How to Read an Insurance Policy*, 1990.

National Business Institute, Inc., *Challenges In Washington Insurance Coverage Litigation--Analyzing Insurance Contract Provisions & Bad Faith Litigation*, 2003.

Speaker, Northwest Insurance Coverage Association, *Multiple Claims, Inadequate Limits: What is an Insurer to Do?*, 2002.

Washington State Bar Association – Editor, *Washington Motor Vehicle Accident Insurance Deskbook*, 2d ed., Chapter 3: Liability Insurance: Exclusions, 2001.

National Business Institute, Inc., *Insurance Law: Third-Party Coverage in Washington--Automobile Insurance & Rules of Professional Conduct and Conflicts of Interest*, 1998.

National Business Institute, Inc., *Insurance Law: Third-Party Coverage in Washington - Automobile Coverage*, 1996.

Speaker, King County Bar Association, *The Liability Insurance Policy - The Duties to Defend, Pay and Settle, Reservations of Rights Situations*, 1996.

Speaker, Seattle King County Bar Association, Special Issues in Defending an Insured, 1993.

Seattle King County Bar Association, *Annual Nuts and Bolts of Insurance Coverage, Part II - Special Issues in Defending an Insured*, 1992.

Speaker, Seattle-King County Bar Association, *How to Read an Insurance Policy*, 1990.

# KELLER ROHRBACK

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## GARRETT HEILMAN

### CONTACT INFO

1201 Third Avenue, Suite 3200  
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(206) 623-1900  
gheilman@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Employee Benefits and Retirement Security

### EDUCATION

**University of Washington School of Law**  
J.D., 2013  
**University of Puget Sound**  
B.A., 2009

**Garrett Heilman is a proud member of Keller Rohrback L.L.P.'s nationally recognized Complex Litigation Group, where he focuses on cutting-edge cases that hold corporations and other institutions accountable for wrongdoings.**

Garrett's interest in corporate accountability began as a law student at the University of Washington School of Law, where he contributed to publications and reports regarding corporate responsibility and human rights and developed training programs for Fortune 500 companies to educate employees on conducting business ethically.

Prior to joining Keller Rohrback, Garrett practiced at a boutique litigation firm and clerked for the Honorable Mary K. Dimke in the U.S. District Court for the Eastern District of Washington and the Honorable George B. Fearing at the Washington State Court of Appeals.

When time permits, Garrett enjoys providing pro bono counsel at the King County Neighborhood Legal Clinic and working to vindicate and/or protect people's First Amendment rights.

### BAR & COURT ADMISSIONS

2014, Washington  
2015, Illinois  
2016, U.S. Court of Appeals for the Ninth Circuit  
2016, U.S. District Court for the Western District of Washington  
2017, U.S. Court of Appeals for the Third Circuit  
2019, U.S. District Court for the Eastern District of Washington  
2019, U.S. District Court for the Eastern District of Wisconsin

### PROFESSIONAL & CIVIC INVOLVEMENT

Legal Foundation of Washington – Associates Campaign Committee, *Member*  
King County Bar Association, *Member*  
Washington State Bar Association, *Member*  
American Bar Association, *Member*

### ARTICLES & PRESENTATIONS

Chapter Editor, *Employment Benefits Law – 2019 Cumulative Supplement* (Bloomberg BNA), 2019-present

### HONORS & AWARDS

Selected to Rising Stars list in *Super Lawyers - Washington*, 2020-2023

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## DEAN KAWAMOTO

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
dkawamoto@kellerrhrback.com

### PRACTICE EMPHASIS

- Class Actions
- Environmental Litigation
- Financial Products & Services
- Institutional Investors
- Mortgage Put-Back Litigation
- Securities

### EDUCATION

#### University of California at Berkeley

B.A., History and Biology, *High Distinction*, 1998

#### Yale Law School

J.D., 2003

#### University of Cambridge (UK)

LL.M., International Law, *First Class Honors*, 2007

**Dean Kawamoto understands complex cases.** Many of Dean's cases involve complicated financial transactions, sophisticated institutional and government clients, large-scale discovery, extensive expert analysis, and massive damages. Dean's litigation experience is broad, and includes litigation involving public health, systemic corporate fraud, financial services and securities transactions, consumer protection, product liability, environmental remediation, and professional liability.

As a partner in the firm's Complex Litigation Group, Dean has played an important role in many of Keller Rohrback's largest cases. In the Opiate MDL, Dean has played a lead role in developing the case against Mallinckrodt and has also worked closely with the experts in the case. Dean was part of the Keller Rohrback team that successfully sued Volkswagen, Audi, and Porsche for engaging in a massive fraud to cheat emission standards by using "defeat devices." Dean is currently part of the litigation team representing several of the Federal Home Loan Banks in litigation against dozens of issuers, underwriters, and sponsors of private label mortgage-backed securities worth \$13 billion. He was also part of the trial team that successfully objected on behalf of the firm's clients to the \$8.5 billion settlement between Bank of New York Mellon and Bank of America over Countrywide's massive mortgage liabilities, the only objection that was sustained by the trial court. Most recently, Dean was appointed by the Honorable Judge William Orrick as co-lead counsel for *In re JUUL Labs, Inc., Marketing, Sales Practices, and Products Liability Litigation*, the multidistrict litigation against JUUL Labs, Inc. and other defendants for actions relating to the vaping epidemic among minors.

Dean also has an extensive background in environmental law. He has performed climate change research in the Arctic Tundra. He has worked for the United States Senate Committee on Environment and Public Works, where he was in charge of issues relating to water pollution and the Clean Water Act. During law school, he was a research assistant and teaching assistant to Professor Daniel Esty, the former Commissioner of the Connecticut Department of Energy and Environmental Protection. Dean also served as an adjunct instructor in environmental law and policy for the University of Southern California.

Dean served as a clerk for the Honorable Wm. Matthew Byrne, U.S. District Judge for the Central District of California and was previously a Professional Staff Member on the U.S. Senate Committee on Environment and Public Works and a Legislative Aide to Senator Lincoln D. Chafee of Rhode Island.

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## BAR & COURT ADMISSIONS

2004, California  
2004, U.S. District Court for the Central District of California  
2009, District of Columbia  
2011, Washington  
2015, U.S. District Court for the Northern District of California  
2015, U.S. District Court for the Eastern District of California  
2015, U.S. District Court for the Western District of Washington

## HONORS & AWARDS

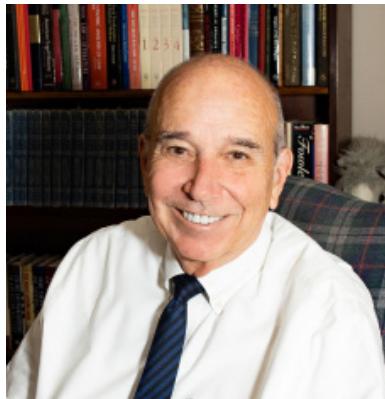
Selected to Rising Stars list in *Super Lawyers - Washington*, 2014-2015  
Selected to Super Lawyers list in *Super Lawyers - Washington*, 2023  
Recipient of the Clifford Chance C.J. Hamson Prize for thesis on class actions  
John Gardner Public Service Fellow  
Recipient of the Departmental Citation for Integrative Biology (awarded to the top graduate in the major)

## PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar Association, *Member*  
State Bar of California, *Member*  
District of Columbia Bar, *Member*  
American Bar Association, *Member*

# KELLER ROHRBACK

LAW OFFICES • L. L. P.



## RON KILGARD

### CONTACT INFO

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New York, NY 10036

(646) 380-6690

[rkilgard@kellerrohrback.com](mailto:rkilgard@kellerrohrback.com)

### PRACTICE EMPHASIS

- Appeals
- Antitrust & Trade Regulation
- Class Action
- Constitutional Law
- Employee Benefits & Retirement Security
- Fiduciary Breach
- Financial Products & Services

### EDUCATION

**Harvard College** B.A., 1973,  
History

**Harvard Divinity School** M.T.S.,  
1975, Old Testament

**Arizona State University College  
of Law** J.D., 1979, Editor-in-  
Chief, *Arizona State Law Journal*,  
Armstrong Award (outstanding  
graduate)

**Ron Kilgard is a 40-year civil litigation lawyer.** Over a long career, he has handled all manner of civil cases, from routine automobile accidents and two-party contract disputes of no interest to anyone but the parties, to multi-million dollar class actions covered in The New York Times and The Wall Street Journal. For the last 20 years, Ron has mostly litigated pension plan class actions. Ron helped Keller Rohrback pioneer company stock ERISA litigation in the late 1990s and early 2000s; he was part of the team that obtained settlements of over \$265 million in the Enron 401(k) litigation. In 2017, after six years of litigation, Ron prevailed in an action challenging as unconstitutional the cutbacks to the pensions of Arizona state court judges. That same year, Ron began representing pro bono, and is still representing, a client fleeing gang-related violence in El Salvador.

Ron is a Phoenix native. He clerked for the Hon. Mary M. Schroeder, U. S. Court of Appeals for the Ninth Circuit, in 1979-80 and has practiced in Phoenix ever since. He was one of the lawyers who formed the Phoenix office of Keller Rohrback L.L.P. in November 2002.

### HONORS & AWARDS

Best Lawyers in America®, Phoenix, Arizona:

- Employee Benefits (ERISA) Law, 2013-2024
- Litigation - Labor and Employment, 2023-2024

Florence Immigrant & Refugee Rights Project, 2018 Pro Bono Attorney of the Year (adult cases)

### PROFESSIONAL & CIVIC INVOLVEMENT

State Bar of Arizona, *Member*

District of Columbia Bar, *Member*

New York State Bar Association, *Member*

National Immigrant Justice Center, *Pro Bono Counsel*

Florence Immigrant & Refugee Rights Project, *Pro Bono Counsel*

# KELLER ROHRBACK

L A W O F F I C E S • L. L. P.

## BAR & COURT ADMISSIONS

1979, Arizona Supreme Court  
1979, U.S. District Court for the District of Arizona  
1982, U.S. Court of Appeals for the Ninth Circuit  
1995, U.S. Supreme Court  
2005, U.S. Court of Appeals for the Second Circuit  
2005, U.S. Court of Appeals for the Fifth Circuit  
2007, U.S. District Court for the Eastern District of Michigan  
2009, District of Columbia Court of Appeals  
2010, U.S. Court of Appeals for the Fourth Circuit  
2010, U.S. District Court for the District of North Dakota  
2011, New York Supreme Court, Appellate Division  
2012, U.S. District Court for the Southern District of New York  
2013, U.S. District Court for the District of Colorado  
2013, U.S. Court of Appeals for the Eighth Circuit  
2014, U.S. Court of Appeals for the Sixth Circuit  
2014, U.S. Court of Appeals for the Third Circuit  
2015, U.S. Court of Appeals for the Seventh Circuit  
2015, U.S. Court of Appeals for the Tenth Circuit  
2016, U.S. District Court for the Southern District of Illinois  
2016, U.S. District Court for the Western District of Oklahoma  
2016, U.S. District Court for the Eastern District of Missouri  
2016, U.S. District Court of the Central District of Illinois  
2016, U.S. District Court of the Northern District of Indiana  
2017, Executive Office for Immigration Review  
2019, U.S. District Court for the Northern District of New York

## PUBLICATIONS & PRESENTATIONS

Speaker, ABA Seminar, After Enron, 2006  
Speaker, Chicago Bar Association, Company Stock Litigation, 2006  
Speaker, West LegalWorks ERISA Litigation Conference, 2007  
Speaker, National Center for Employee Ownership, *Fiduciary Implications of Company Stock Lawsuits*, 2012 and 2013  
Speaker, American Conference Institute, *New Developments in Church Plan Litigation*, 2015-2017

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## KATHERINE KLEIN

### CONTACT INFO

8354 Northfield Blvd  
Suite 3700  
Denver, Colorado 80238  
(720) 954-1901  
kklein@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Consumer and Data Privacy Protection
- Environmental Litigation

### EDUCATION

**Boston College**  
B.A., Communication, 2015

**University of Central Florida**  
M.S., Conservation Biology, 2017

**University of Denver Sturm  
College of Law**  
J.D., 2021  
Natural Resources and  
Environmental Law Certificate

**Katherine Klein is an environmental advocate who believes in the power of complex litigation to answer the challenges posed by corporate abusers and speculators.**

Her background in conservation biology has informed her vigorous dedication to wildlife and wilderness preservation, and upholding responsible societal stewardship of the nation's natural resources.

Katherine works in Keller Rohrback's complex litigation group from its newest office location in Denver, Colorado, and she brings a keen focus on environmental and conservation issues to the Denver office. After completing degrees at Boston College and the University of Central Florida for a BA in Communication and MS in Conservation Biology respectively, Katherine attained her JD at the University of Denver Sturm College of Law in 2021.

While pursuing her law degree, she worked as a law clerk for national nonprofits The Wilderness Society and Defenders of Wildlife. She also clerked for the Environmental Defense Center in Santa Barbara, California, and she has been published repeatedly in the University of Denver's Water Law Review. She is a member of both the Colorado Bar Association and the Colorado Women's Bar Association. Since being awarded her JD, Katherine served as a law clerk for the Honorable Stephanie L. Scoville in the 2nd Judicial District for the State of Colorado, and also for the Honorable John Daniel Dailey in the Colorado Court of Appeals.

Katherine's previous legal experience has prepared her to add to Keller Rohrback's unparalleled reputation for consumer protection and its deep knowledge of environmental law, in an area of the country rich in scenic beauty, natural resources, and land-use controversies.

The Southern California native balances her legal career with road trips to America's National Parks and Wildlife Refuges, reading high fantasy novels, and enjoying the outdoor company of her rescue dogs Basil and Willow. She might also be found practicing pilates, kickboxing, or sipping well-steeped cups of the finest tea.

### BAR & COURT ADMISSIONS

2021, Colorado

### PROFESSIONAL & CIVIC INVOLVEMENT

Colorado Bar Association, *Member*  
Colorado Women's Bar Association, *Member*  
Colorado Bar Association Environmental Section, *Member*  
Colorado Bar Association Litigation Section, *Member*

# KELLER ROHRBACK

LAW OFFICES • L. L. P.



## DAVID KO

### CONTACT INFO

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Seattle, WA 98101  
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dko@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Consumer Protection
- Data Privacy Litigation
- Employee Benefits and Retirement Security
- Financial Products and Services
- Governments & Municipalities
- Institutional Investors
- Securities

**David is a partner in the firm's nationally recognized Complex Litigation Group where he litigates cases on behalf of plaintiffs in federal and state courts across the country in a wide variety of cases involving corporate wrongdoing.** He has helped his clients—including government entities, retirement plans, institutional investors, and consumers—obtain multimillion-dollar recoveries against some of the largest corporations in the country. He has significant trial experience, having tried month-long trials in both federal and state court.

David is currently at the center of the firm's largest and most high-profile cases. He represents government entities all over the country in *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio)—seeking to hold manufacturers, distributors, and dispensers responsible for creating and fueling the opioid epidemic—which has resulted in over \$50 billion in settlements to date. He is also one of the lead attorneys in *In re Facebook, Inc. Consumer Privacy User Profile Litigation*, MDL 2843 (N.D. Cal.), a class action on behalf of all Facebook U.S. users alleging Facebook discloses user information and data without consent that recently resolved for \$725 million, the largest settlement to date of a U.S. privacy class action and the most Facebook has ever paid to resolve private litigation. David also helped lead the firm's efforts in *In re: JUUL Labs, Inc. Marketing, Sales Practices, & Products Liability Litigation*, MDL 2913 (N.D. Cal.), which resulted in nearly \$2 billion in settlements from JUUL and Altria for their role in the youth vaping epidemic.

Prior to joining the firm, David clerked for the Honorable Ricardo S. Martinez, Chief U.S. District Judge in the Western District of Washington. He is past President of the Korean American Bar Association of Washington, and a Fellow of the Washington Leadership Institute. While born in Seoul and extremely proud of his Korean heritage, David has spent most of his life in the Seattle area, where he currently lives with his wife and two young daughters and is an avid supporter of all Seattle sports teams.

### EDUCATION

#### University of Washington

B.A., 2002, History and Political Science

#### Seattle University School of Law

J.D., *cum laude*, 2006; National Order of Barristers

#### University of Washington School of Law

LL.M., 2007 Taxation

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## BAR & COURT ADMISSIONS

2006, Washington

2010, U.S. District Court for the Western District of Washington

2010, U.S. District Court for North Dakota

2011, U.S. Court of Appeals for the Ninth Circuit

2016, U.S. District Court for the Eastern District of Michigan

2018, U.S. Court of Appeals for the Second Circuit

2018, U.S. District Court for the Eastern District of Washington

2019, U.S. District Court for Colorado

## PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar Association, *Member*

King County Bar Association, *Member*

Asian American Bar Association, *Member*

National Center for Employee Ownership, *Member*

## PUBLICATIONS & PRESENTATIONS

Speaker, Washington Association of Prosecuting Attorneys Summer Training Program, Opioid Litigation (Chelan, WA, June 2023)

Speaker, Washington County Administration Association Annual Conference, Opioid Litigation Settlement Updates (April 2023)

Speaker, Washington Association of Prosecuting Attorneys Spring Training Program, Opioid Litigation (Tacoma, WA, April 2023)

Speaker, Human Right to Health: Pathways and Responses, Opioid Abuse and Litigation: Legal and Policy Responses (Seattle, WA, November 2019)

Speaker, Washington State Society of Healthcare Attorneys Annual Conference, *Opioid Litigation on Behalf of Local Governments* (Seattle, WA, April 2018)

Speaker, Mass Torts Made Perfect, *National Costs of Opioid Crisis* (Las Vegas, NV, April 2018)

Speaker, National Center for Employee Ownership Annual Conference, *Fundamentals of the Repurchase Obligation* (Denver, CO, March 2017)

Speaker, National Business Institute, *Legal Ethics: Top Attorney-Client Mistakes* (Seattle, WA, December 2016)

Speaker, National Business Institute, *Title Law: Ethics* (Seattle, WA, April 2016)

## HONORS & AWARDS

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023

Selected to Super Lawyers list in *Super Lawyers - Washington* 2022-2023

Selected to Rising Stars list in *Super Lawyers - Washington*, 2019-2020

National Trial Lawyers: Top 100 Civil Plaintiff Trial Lawyers in Washington, 2020-present

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## BENJAMIN J. LANTZ

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
blantz@kellerrohrback.com

### PRACTICE EMPHASIS

- Banking
- Business & Finance
- Catastrophic Property Loss
- Commercial Litigation
- Employment Law
- Insurance Litigation
- Medical & Dental
- Personal Injury Wrongful Death
- Real Estate Litigation

### EDUCATION

#### New England School of Law

J.D., *cum laude*, 1995

#### Boston College

B.A., 1992

**Ben Lantz's practice focuses on plaintiff's personal injury cases including motor vehicle accidents, premises liability, product liability, wrongful death, and catastrophic property loss.**

He brings a unique skill set to his plaintiff's personal injury practice. For over 25 years, Ben defended these claims for insurance companies, car manufacturers, and government entities. Using this experience, Ben has developed deep insight into how insurance companies and defense counsel think, defend, and ultimately value cases. Armed with this knowledge, he understands what cases are worth pretrial and when it is necessary to let a jury determine the value of a client's claim.

Mr. Lantz began his career as a civil and criminal prosecutor with the Snohomish County Prosecutor's Office, where he obtained extensive trial experience. Since joining Keller Rohrback L.L.P. in 1998, Ben has successfully represented financial institutions and corporations in complex commercial litigation matters. He also has successfully defended automotive product liability cases on behalf of Ford Motor Company, Honda Motor Co., Ltd., New Holland North America, Inc. and Toyota Motor Corporation.

### BAR & COURT ADMISSIONS

1995, Washington  
1997, U.S. District Court for the Western District of Washington  
1999, U.S. District Court for the Eastern District of Washington

### PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member*

### HONORS & AWARDS

Selected to Rising Stars list in Super Lawyers - Washington, 2006, 2008.

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## CARI CAMPEN LAUFENBERG

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
claufenberg@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Appeals
- Class Actions
- Consumer Protection
- Data Privacy Litigation
- Employee Benefits & Retirement Security
- Fiduciary Breach
- Financial Products & Services

### EDUCATION

**University of California, San Diego**

B.A., 1993, Art History

**University of Washington**

M.A., 1998, Public Administration

**University of Washington  
School of Law**

J.D., 2003

As a partner in Keller Rohrback's nationally recognized Complex Litigation Group, Cari Laufenberg maintains a national practice representing consumers, employees, and institutions in complex consumer and employee class actions involving corporate fraud, privacy and data breach issues, breach of fiduciary duty, and the Employee Retirement Income Security Act ("ERISA"). Since joining Keller Rohrback, she has played a key role in obtaining multi-million-dollar recoveries for consumers, employees, and shareholders in many of the firm's largest and most complex cases, including cases involving Anthem Inc., Sony Pictures Entertainment Inc., Marsh McLennan Companies, Goodyear Tire & Rubber Co., and HealthSouth Corporation.

Cari has been appointed to numerous leadership positions in federal courts across the country. She currently serves as Co-Lead Counsel for over 76 million data breach victims in *In re T-Mobile Customer Data Security Breach Litigation* in the Western District of Missouri. Cari has also served as Co-Lead Counsel in *In re 21st Century Oncology Customer Data Security Breach Litigation* in the Middle District of Florida, and as Class Counsel in *Fox v. Iowa Health System* in the Western District of Wisconsin representing 1.4 million victims of the UnityPoint Health data breach. She has been appointed as a member of several leadership committees including: *In re Experian Data Breach Litigation* in the Central District of California and *In re VTech Data Breach Litigation* in the Northern District of Illinois, Eastern Division. Cari has also made key contributions in other significant data breach and data privacy actions in which Keller Rohrback has had leadership positions including *In re Facebook, Inc. Consumer Privacy User Profile Litigation* in the Northern District of California, *In re Blackbaud Inc. Customer Data Security Breach Litigation* in the District of South Carolina, and *Corona v. Sony Pictures Entertainment, Inc.* in the Central District of California.

Over the past almost 20 years, Cari's background in nonprofit management and public administration has served her clients well. She is adept at organizing large complex cases, working collaboratively with other counsel, and developing a cogent strategy which achieves short-term goals and long-term successes. Before joining Keller Rohrback in 2003, Cari served as a judicial extern for Judge Barbara Jacobs Rothstein of the U.S. District Court for the Western District of Washington. She is a frequent speaker at national conferences on class actions, identity theft and privacy, and other complex litigation topics.

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## BAR & COURT ADMISSIONS

2003, Washington

2004, U.S. District Court for the Western District of Washington

2006, U.S. District Court for the Eastern District of Michigan

2006, U.S. Court of Appeals for the Eleventh Circuit

2011, U.S. Court of Appeals for the Seventh Circuit

2011, U.S. Court of Appeals for the Ninth Circuit

2013, U.S. Court of Appeals for the Eighth Circuit

## HONORS & AWARDS

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023

National Trial Lawyers: Top 100 Civil Plaintiff Trial Lawyers in Washington

Named as the Best Lawyers® 2023 Litigation – ERISA  
"Lawyer of the Year" in Seattle

Best Lawyers in America, Litigation - ERISA, 2022-2024

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2022-2023

Selected to Rising Stars list in *Super Lawyers - Washington*, 2008-2009, 2011

AV®, Peer Review Top-Rated by Martindale-Hubbell

## PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member*

King County Washington Women Lawyers, *Member*;  
Member of the Board of Directors (2003-2005)

Washington Women Lawyers, *Member*

The William L. Dwyer American Inn of Court, *Founding Student Member* (2002-2003)

Federal Bar Association, *Member*

American Association for Justice, *Member*

Washington State Association for Justice, *Member*

Northwest Immigrant Rights Project, *Volunteer Attorney*

National Association for Public Pension Attorneys, *Member*

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## PUBLICATIONS & PRESENTATIONS

Presenter, Capital One Data Breach Litigation, HarrisMartin's MDL Conference, Beverly Hills, CA, September 2019.

Presenter, Consumer Recovery of Damages for Security Breaches or Misuse of Consumer Information, Law Seminars International Artificial Intelligence & Privacy Conference, Seattle, WA, August 2019.

Presenter, Data Breach & Privacy Class Action Litigation, Law Seminars International Class Action Litigation Conference, Seattle, WA, May 2019.

Presenter, Facebook Breach – Is Anyone's Data Safe, HarrisMartin MDL Conference, Chicago, IL, May 2018.

Class Action Lawsuits and Settlements: Uncovering the Things You Need to Know, The Knowledge Group Online CLE, November 2018.

Presenter, Intel: The OEM Cases, HarrisMartin MDL Conference, Miami, FL, March 2018.

Presenter, *Legal Claims: Equifax and Other Data Breach Cases*, HarrisMartin's Equifax Data Breach Litigation Conference, Atlanta, GA, November 2017.

Tana Lin, Cari Laufenberg and Lisa A. Nowlin, Brief for American College of Obstetricians and Gynecologists as Amicus Curiae in Support of Respondent, *Coffey v. Public Hosp. Dist. No. 1, Skagit Cnty. Wash. d/b/a Skagit Regional Health, et al.*, No. 75769-5 (Wash. Ct. App. Apr. 5, 2017).

Panelist, *Recent Settlements & Litigation Trends*, HB Litigation Conferences, Data Breach Litigation and Investigation Forum 2017, San Francisco, CA, January 2017.

Presenter, *Don't Be Spokeo'd: What You Need to Know in Litigating Data Breach Cases*, American Bar Association, Business Law Section Annual Meeting, Boston, MA, September 2016.

Panelist, *The Client's Perspective: ADR Users Share Insights Regarding What Mediators Do To Make the Process Succeed or Fail*, American Bar Association, 18th Annual Section of Dispute Resolution Spring Conference, New York, NY, April 2016.

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## JEFFREY LEWIS

### CONTACT INFO

180 Grand Avenue, Suite 1380  
Oakland, CA 94612  
(510) 463-3900  
jlewis@kellerrohrback.com

### PRACTICE EMPHASIS

- Appeals
- Employee Benefits and Retirement Security
- Complex Litigation
- Employment Litigation
- Private Judge, Mediator, Special Master

### EDUCATION

#### **Yale University**

B.A., 1970

#### **University of California at Berkeley School of Law**

Order of the Coif – J.D., 1975

**Jeffrey Lewis has specialized in ERISA and employee benefits law since 1975.** He currently serves as a representative of the general public on the ERISA Advisory Council to the Secretary of Labor. He has successfully litigated individual, group, and class action claims on behalf of hundreds of thousands of employees, retirees, and the disabled. He was a founding partner of Lewis, Feinberg, Lee & Jackson, one of the first firms in the nation to specialize in ERISA litigation on behalf of plaintiffs. Among his major successes was serving as one of appointed counsel for employees of WorldCom, Inc. in a class action which resulted in a settlement that paid more than \$47 million to participants in WorldCom's 401(k) plan. He recently recovered over \$40 million for retirees after a lengthy trial in which he served as lead counsel. Mr. Lewis serves as a mediator for the U.S. District Court, the Northern District of California, and in private practice, and has served as an arbitrator and expert witness in ERISA cases. He has also advised employee groups and benefit plan fiduciaries, is a fiduciary of two large employee benefit plans, and has served as an independent fiduciary of employee benefit plans.

In addition to his litigation and advisory activities throughout the U.S., Mr. Lewis has testified before Congressional committees regarding pension issues and served as one of the Co-Chairs of the Senior Board of Editors of the Employee Benefits Law treatise. He has also taught employee benefits law at the University of California at Berkeley School of Law, as well as pension law courses at several other law schools.

### BAR & COURT ADMISSIONS

1975, California  
1976, U.S. District Court for the Northern District of California  
1981, U.S. Court of Appeals for the Ninth Circuit  
1985, U.S. District Court for the Eastern District of California  
1991, U.S. District Court for the Southern District of California  
1993, U.S. District Court for the Central District of California  
1995, Supreme Court of the United States  
1999, U.S. Court of Appeals for the Tenth Circuit  
2001, U.S. Court of Appeals for the 2nd Circuit  
2001, U.S. Court of Appeals for the Third Circuit  
2004, U.S. Court of Appeals for the Fourth Circuit  
2005, U.S. Court of Appeals for the Fifth Circuit  
2007, U.S. Court of Appeals for the Seventh Circuit  
2015, U.S. District Court for the District of Colorado  
2018, U.S. Court of Appeals for the Second Circuit

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## PUBLICATIONS & PRESENTATIONS

Panelist, ABA Section of Labor and Employment Law Employee Benefits Committee 2023 Midwinter meeting, New Orleans, Louisiana, 2023 (Are You Ready for a DOL Cybersecurity Audit or to Defend Against Hacks?).

Co-Chair of the Board of Senior Editors of Lewis, et al., *Employee Benefits Law* (3d and 4th eds. Bloomberg BNA)

Board of Senior Editors, *Employee Benefits Law* (2d ed. BNA)

Former editor of the Discrimination Claims Under ERISA chapter of Employee Rights Litigation: Pleading and Practice (Matthew Bender, 1991)

Frequent speaker on ERISA topics such as preemption, fiduciary duty, and benefit claims at seminars sponsored by the American Bar Association, the Bureau of National Affairs, the National Employment Lawyers Association (NELA), and other organizations.

## HONORS & AWARDS

Ranked in Chambers and Partners USA Guide, 2023 - ERISA Litigation: Mainly Plaintiffs

Selected to Super Lawyers List, *Super Lawyers - Northern California*, 2005-2022

Selected to Top 100 Lawyers List in *Super Lawyers - Northern California*, 2010-2016

Top Attorney for ERISA Plaintiffs in the San Francisco Bar Area, *The Recorder*

Forty Top Benefits Attorneys, *The National Law Journal*, 1998

## PROFESSIONAL & CIVIC INVOLVEMENT

Member, ERISA Advisory Council to U.S. Secretary of Labor

Elected as a charter fellow of the College of Employee Benefits Counsel; former member of Board of Governors

American Bar Association, Member, Labor & Employment Section, Former Plaintiff Co-Chair of the Employee Benefits Committee

AC Transit Retirement Board, Chair, Board of Trustees

Goodyear Retiree Health Care Trust, Member of the Plan Committee

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## ANDREW LINDSAY

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
alindsay@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation

### EDUCATION

**Vassar College**  
B.A., 2013, International Studies

**Seattle University School of Law**  
J.D., magna cum laude, 2022

### EDUCATION

Brazilian Portuguese  
Spanish

**Andrew Lindsay believes that by joining together through complex litigation, people can effectively hold corporations responsible for their wrongdoing.**

Andrew's interest in the law mounted progressively following his undergraduate studies at Vassar College and several years applying his advanced language skills in various settings, including teaching English in Brazil on a Fulbright fellowship. These experiences led to a San Francisco immigration law office, and his time there as a bilingual legal assistant convinced him of the necessity of providing service to people facing problems they cannot resolve on their own. The vision of an attorney with a broad skill set stepping in to help resolve such difficulties took hold, prompting him to attend law school.

Andrew received his J.D., magna cum laude, from Seattle University School of Law, where he served as a Lead Article Editor for the Seattle University Law Review. During law school, Andrew externed for Judge Ken Schubert at King County Superior Court and Judge Rebecca Glasgow at Division II of the Washington State Court of Appeals. Prior to joining the firm, Andrew clerked for Judge John H. Chun at the United States District Court for the Western District of Washington. While working for these judges, he was exposed to a spectrum of civil cases and took note of complex litigation as a necessary procedural tool to help injured plaintiffs go up against behemoth corporations.

Andrew foresees long-term practice in the complex litigation realm. He is confident that his writing skills, his work ethic, and his willingness to work productively with others will serve him well and broaden his expertise. Andrew looks forward to the accumulation of experience he knows he will find at Keller Rohrback.

Outside of work, Andrew enjoys running, riding his bicycle, stand-up paddleboarding, exploring Seattle restaurants and bars, and traveling.

### BAR & COURT ADMISSIONS

2022, Washington

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## DEREK LOESER

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
dloeser@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Appeals
- Class Action & Consumer Litigation
- Data Privacy Litigation
- Employee Benefits & Retirement Security
- Employment Law
- Environmental Litigation
- Financial Products & Services
- Governments and Municipalities
- Institutional Investors
- Mortgage Put-Back Litigation
- Securities Fraud
- Whistleblower

**Derek is a senior partner in Keller Rohrback's nationally recognized Complex Litigation Group and a member of the firm's Executive Committee.**

Derek's passion for holding large corporations accountable for wrongdoing has helped recover billions of dollars for consumers, retirees, governments and institutions. He has served in leadership roles in major complex cases across the country.

Currently, Derek is co-lead counsel in *In re Facebook, Inc. Consumer Privacy User Profile Litigation*, the MDL litigation against Facebook stemming from the Facebook Cambridge Analytica scandal. In the case, after years of hard-fought litigation, he and the team achieved an historic \$725 million settlement, the largest amount paid to date to resolve a privacy-based class action.

In addition to his class action work, Derek helps manage the Keller Rohrback team representing state and local government entities in a number of matters involving significant public health crises. For example, Derek leads the Keller Rohrback team litigating government cases against opioid manufacturers and distributors in *The National Prescription Opioid Litigation*. In the Opioid MDL, Derek serves on the Expert and Law & Briefing Committees and lead the litigation against a major opioid manufacturer. He also represents school districts and counties in litigation against the e-cigarette company, JUUL, for targeting and addicting youth, and in litigation against social media companies for causing a youth mental health epidemic. These cases are quintessential examples of the type of litigation Derek and the Keller Rohrback team fervently pursue: corporate fraud and malfeasance causing serious harm to the public.

Derek's other notable cases include the Wells Fargo unauthorized account consumer class action for which Derek served as lead counsel. In the Wells Fargo case, Derek and the Keller Rohrback team achieved a \$142 million settlement requiring the bank to refund all improper fees and provide first-of-its kind credit damage reimbursement, among other relief, to Wells Fargo customers; multi-billion dollar mortgage-backed securities cases on behalf of the Federal Home Loan Banks of Chicago, Indianapolis and Boston; ERISA class cases on behalf of employees whose retirement savings were decimated by corporate fraud and abuse on the part of Enron, WorldCom, Countrywide, and Washington Mutual, among others. He has also litigated fraud, RICO, and antitrust cases against drug manufacturers, pharmacy benefit managers, and insurance companies for conspiring to drive up the cost of life-saving medications such as insulin.

Many of Derek's cases have required coordinating with state and federal agencies involved in litigation that parallels cases pursued by Keller Rohrback, including state attorneys general, the Department of Justice, and the Department of Labor. In addition, Derek has extensive experience negotiating

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complex, multi-party settlements, and coordinating with the many parties and counsel necessary to accomplish this. He is frequently asked to speak at national conferences about class actions, public health litigation, ERISA, and other complex litigation topics.

Before joining Keller Rohrback, Derek served as a law clerk for the Honorable Michael R. Hogan, U.S. District Court for the District of Oregon. He was also a trial attorney in the Employment Litigation Section of the Civil Rights Division of the U.S. Department of Justice in Washington, D.C. where he prosecuted discrimination cases on behalf of the United States.

## EDUCATION

### Middlebury College

B.A., *summa cum laude*, 1989, American Literature (highest department honors), Stolley-Ryan American Literature Prize, Phi Beta Kappa

### University of Washington School of Law

J.D., *with honors*, 1994

## HONORS & AWARDS

Best Lawyers in America®, ERISA Litigation, Seattle, Washington, 2024

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023

Listed as Lawdragon 500 Leading Lawyers in America 2018, 2022 and 2023

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2007-2012, 2014-2022

AV®, Peer Review Top-Rated by Martindale-Hubbell

Recipient of the 2010 Burton Award for Legal Achievement for the article, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty, Pension & Benefits Reporter*, Bureau of National Affairs, Inc. (Sept. 1, 2009)

Selected to Rising Stars list in Super Lawyers - Washington, 2005-2007

U.S. Department of Justice Award for Public Service, 1996

U.S. Department of Justice Achievement Award, 1996

U.S. Department of Justice Honors Program Hire, 1994

## BAR & COURT ADMISSIONS

1994, Washington

1998, U.S. District Court for the Western District of Washington

1998, U.S. District Court for the Eastern District of Washington

1998, U.S. Court of Appeals for the Ninth Circuit

2002, U.S. District Court for the Eastern District of Michigan

2004, U.S. District Court for the Northern District of Illinois

2006, U.S. Court of Appeals for the Eleventh Circuit

2009, U.S. Court of Appeals for the Eighth Circuit

2010, United States Supreme Court

2010, U.S. Court of Appeals for the Fourth Circuit

2012, U.S. Court of Appeals for the Third Circuit

2013, U.S. Court of Appeals for the Second Circuit

2014, U.S. Court of Appeals for the First Circuit

2017, New York

## PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member*; *Employment Benefits Committee Member*

National Employment Lawyers Association, *Member*

American Civil Liberties Union of Washington, *Cooperating counsel*

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## PUBLICATIONS & PRESENTATIONS

Panelist, Law Seminars International - Health Care Class Actions: The Role of Class Actions as a Path to Recovery of Damages Related to the Opioid Crisis - *Class certification issues for human health impacts vs. financial impacts on government entities*, November, 2020.

Panelist, HarrisMartin's MDL Conference: JUUL and Capital One Data Breach Litigation - JUUL, E-Cigarettes & Vaping Litigation - An Overview of JUUL Legal Landscape: Case Filings, Judicial Rulings and MDL Submissions, Beverly Hills, CA, September, 2019.

Panelist, HarrisMartin's MDL Conference: Opioid, Equifax & Talcum Powder - *Opioid Litigation Landscape: Venues, Jurisdictional Hurdles, Defenses and Cause of Action*, St. Louis, MO, November, 2017.

Panelist, HarrisMartin's National Opioid Litigation Conference - *Current Landscape of Opioid Litigation*, Chicago, IL, October, 2017.

Speaker, *Trends in Auto Defect Litigation*, Seattle, WA, May, 2017.

Panelist, Law Seminars International - VW Diesel Emissions Litigation: A Case Study of the Interplay Between Government Regulatory Activity and Consumer Fraud Class Actions, May, 2016.

Speaker, *Class Action & Data Breach Litigation*, Santa Barbara, CA, March, 2016.

Speaker, *Fiduciary Challenges in a Low Return Environment*, Seattle, WA, December, 2014.

Speaker, *Post-Certification Motion Practice in Class Actions*, Seattle, WA, June, 2014.

Speaker, *Investment Litigation: Fees & Investments in Defined Contribution Plans*, ERISA Litigation, Washington, D.C., 2012.

Speaker, *Post-Certification: Motion Issues in Class Actions*, Litigating Class Actions, Seattle, WA, 2012.

Derek W. Loeser, Erin M. Riley & Benjamin B. Gould, 2010 *ERISA Employer Stock Cases: The Good, the Bad, and the In Between-Plaintiffs' Perspective*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (Jan. 28, 2011).

Derek W. Loeser & Erin M. Riley, *The Case Against the Presumption of Prudence*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (Sept. 10, 2010).

Speaker, ABA Mid-Winter Meeting, San Antonio, TX, 2010.

Speaker, 22nd Annual ERISA Litigation Conference - New York, NY, Nov. 2009.

Speaker, 22nd Annual ERISA Litigation Conference - Las Vegas, NV, Oct. 2009.

Derek W. Loeser & Benjamin B. Gould, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty*, Pension & Benefits Reporter, Bureau of National Affairs, Inc. (Sept. 1, 2009).

Panelist, HarrisMartin's National Opioid Litigation Conference - *Current Landscape of Opioid Litigation*, Chicago, IL, October, 2017.

Speaker, *Trends in Auto Defect Litigation*, Seattle, WA, May, 2017.

Panelist, Law Seminars International - VW Diesel Emissions Litigation: A Case Study of the Interplay Between Government Regulatory Activity and Consumer Fraud Class Actions, May, 2016.

Speaker, *Class Action & Data Breach Litigation*, Santa Barbara, CA, March, 2016.

Speaker, *Fiduciary Challenges in a Low Return Environment*, Seattle, WA, December, 2014.

Speaker, *Post-Certification Motion Practice in Class Actions*, Seattle, WA, June, 2014.

Speaker, *Investment Litigation: Fees & Investments in Defined Contribution Plans*, ERISA Litigation, Washington, D.C., 2012.

Speaker, *Post-Certification: Motion Issues in Class Actions*, Litigating Class Actions, Seattle, WA, 2012.

Derek W. Loeser, Erin M. Riley & Benjamin B. Gould, 2010 *ERISA Employer Stock Cases: The Good, the Bad, and the In Between-Plaintiffs' Perspective*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (Jan. 28, 2011).

Derek W. Loeser & Erin M. Riley, *The Case Against the Presumption of Prudence*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (Sept. 10, 2010).

Speaker, ABA Mid-Winter Meeting, San Antonio, TX, 2010.

Speaker, 22nd Annual ERISA Litigation Conference - New York, NY, Nov. 2009.

Speaker, 22nd Annual ERISA Litigation Conference - Las Vegas, NV, Oct. 2009.

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Derek W. Loeser & Benjamin B. Gould, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty*, Pension & Benefits Reporter, Bureau of National Affairs, Inc. (Sept. 1, 2009).

Derek W. Loeser & Benjamin B. Gould, *Point/Counterpoint: Is Rule 23(b)(1) Still Applicable to ERISA Class Actions?*, ERISA Compliance and Enforcement Library of the Bureau of National Affairs, Inc. (May 1, 2009).

Derek W. Loeser, *The Legal, Ethical, and Practical Implications of Noncompetition Clauses: What Physicians Should Know Before They Sign*, J.L. Med. & Ethics, Vol. 31:2 (2003).

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## ERIC LOMBARDO

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
elombardo@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action and Consumer Litigation

### EDUCATION

**Whitman College**  
B.A., *cum laude*, 2014,  
Philosophy

**University of Washington  
School of Law**  
J.D., 2020

### Eric Lombardo sees complex litigation as a challenging but powerful tool for change.

Eric's analytical relationship with the law was informed by his undergraduate studies in philosophy and politics at Whitman College. His postgrad work at the ACLU of Washington exposed him to ambitious, boundary-pushing efforts to expand what harms can be addressed in the legal realm, and led to his JD with honors at the University of Washington School of Law. There, he spent his summers at the UW Tribal Public Defense Clinic and the Washington State Attorney General's office and volunteered with the Washington Innocence Project Clinic. He also served as the Chief Articles Editor on the Washington International Law Journal and was a member of the school's New York Bar Moot Court Team.

After earning his law degree, Eric clerked for Judge Douglass A. North in the King County Superior Court and for Chief Judge Lori K. Smith in the Washington Court of Appeals, Division 1. His experience with larger civil actions in those environments—particularly those dealing with corporate abuses of power—focused him on the question of how to further the public good through complex litigation.

Eric counts being deliberate and conscientious among his greatest personal and professional strengths, and he looks forward to applying them as he gathers experience in KR's Complex Litigation Group. In his free time, Eric enjoys backpacking, hiking, snowshoeing, running, and light mountaineering. He is an avid reader and has been playing the cello since he was in elementary school—his favorite solo piece is Bach's 5th cello suite.

### BAR & COURT ADMISSIONS

2020, Washington

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## KATE MCCALLUM

### CONTACT INFO

1201 Third Avenue, Suite 3200

Seattle, WA 98101

(206) 623-1900

[kmccallum@kellerrohrback.com](mailto:kmccallum@kellerrohrback.com)

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Environmental Litigation
- Government & Municipalities

### EDUCATION

#### University of Sydney (Sydney, Australia)

Combined B.A. and L.L.B., Honors, 2016

#### The College of Law (Sydney, Australia)

Graduate Diploma of Legal Practice, 2017

#### Lewis & Clark Law School

L.L.M. in Environmental Law, Natural Resources Law, and Energy Law, with Honors, 2022; Cornelius Honors Society

**Kate is passionate about protecting people and the environment through legal action.** The interconnection between human rights and the environment has fueled her passion for the law and brought her to the United States to expand her education and practice, leading her to join Keller Rohrback's nationally recognized Complex Litigation Group where she can represent both individuals and governments confronted with environmental problems.

Kate is originally from Australia and is dual-qualified as an attorney in both Australia and the United States, gaining admission to the Washington Bar in 2022. Throughout her career in both jurisdictions, she has focused on environmental law. After law school, Kate worked as a legal intern with Earth Rights International in Thailand, before returning to Australia to clerk for a Judge of the Federal Court of Australia. As a judicial clerk, she worked on several complex cases, including assisting with a six-month trial of a medical product class action. Kate then worked as a government attorney at the NSW Crown Solicitor's Office representing various government agencies in environmental regulation, environmental prosecutions, and Aboriginal land rights.

Kate relocated to the United States in early 2021 to pursue a Master of Laws in Environmental, Natural Resources, and Energy Law at Lewis & Clark Law School in Portland, Oregon. While pursuing her masters, she was a clinic student with the Global Law Alliance for Animals and the Environment and the Earthrise Law Center, working on environmental public interest cases. Before becoming a full-time attorney at Keller Rohrback in May 2022, Kate spent a few months clerking for the firm.

Kate recognizes the importance of the environment as a social justice issue and is thrilled to bring her efficiency and expertise to Keller Rohrback where she can make a difference firsthand helping to protect our people, communities, and environment.

In her free time, Kate enjoys hiking, cross-country skiing, scuba diving, snorkeling, and enjoying the outdoors anyway she can.

### BAR & COURT ADMISSIONS

2017, Supreme Court of New South Wales (Australia)

2018, High Court of Australia

2022, Washington

2022, U.S. District Court for the Western District of Washington

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## PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar Association, *Member*

King County Bar Association, *Member*

Federal Bar Association, Western District of Washington,  
*Member*

King County Bar Association Neighborhood Legal Clinics,  
*Volunteer Attorney*

## ARTICLES & PRESENTATIONS

Lisa Benjamin & Kate McCallum, *Implementation and Enforcement Mechanisms in Energy Law*, in HANDBOOK OF ENERGY LAW IN THE LOW-CARBON TRANSITION 99 (Giuseppe Bellantuono et al. eds., De Gruyter, 2023)

Kate McCallum, [Review of the book *The Big Switch: Australia's Electric Future*, by Saul Griffith], 47(3) Alt. L.J. 239 (2022).

Kathryn McCallum, *Changing Landscapes: Enforcing Environmental Laws in China Through Public Interest Litigation*, 20 Asia Pac. J. Envtl. L. 57-93 (2017).

Kate McCallum, *The War on Solar and Wind: Australian Renewable Energy Policy* (comment), 34(1) Envtl. Plan. L. J. 69-76 (2017).

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## RYAN MCDEVITT

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### PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Class Action & Consumer Litigation
- Consumer & Data Privacy Protection
- Financial Products & Services
- Intellectual Property
- Securities

### EDUCATION

#### Claremont McKenna College

B.A., 2007, Government and Leadership Sequence, Departmental Honors in Government

#### Columbia Law School

J.D., 2010, Harlan Fiske Stone Honors Scholar

**Ryan protects consumers, competitors, investors, and innovators.** As a partner in Keller Rohrback's nationally recognized Complex Litigation Group, he focuses on ensuring fairness in the marketplace.

In recent years Ryan has played a significant role in achieving and administering landmark settlements on behalf of drivers of Volkswagen, Audi, Porsche, Ram, and Jeep vehicles in the Volkswagen "Clean Diesel" and Fiat Chrysler "EcoDiesel" multidistrict litigations. Ryan currently serves on the court-appointed Executive Committee in litigation concerning defective transmissions in Nissan and Infiniti vehicles, and is a key member of the Keller Rohrback team appointed co-lead counsel in litigation concerning a serious safety defect in Chevrolet Bolt EV batteries. He also works alongside partner Gretchen Freeman Cappio in her capacity as a member of the Plaintiffs' Steering Committees in significant matters involving allegedly defective airbag control units in 12.3 million vehicles from six major automakers and allegedly defective transmissions in numerous Chevrolet, Cadillac, and GMC vehicles, and as Settlement Counsel in a case concerning alleged engine defects in numerous Hyundai and Kia models. Ryan was also recently featured by Law360 as one of their "Rising Stars" for 2023.

In addition to these and numerous other automotive fraud and defect cases involving major automakers and auto parts suppliers, Ryan has litigated consumer protection and antitrust claims, financial and securities fraud, intellectual property infringement, and federal labor law violations in federal and state courts nationwide. For example, he has represented the Federal Home Loan Banks of Boston, Chicago, and Indianapolis in litigation against dozens of issuers, underwriters, and sponsors of private label mortgage-backed securities worth \$13 billion; classes of mortgage borrowers treated unfairly by mortgage servicers and banks; and the Navajo Nation in protecting its rights to the NAVAJO trademark.

Before joining the firm, Ryan served as a law clerk in the Antitrust Division of the Washington State Attorney General, where he worked on multistate investigations of international price-fixing conspiracies. In law school, he was a research assistant to June Besek, chair of the American Bar Association's Copyright Task Force.

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## BAR & COURT ADMISSIONS

2010, Washington

2011, U.S. District Court for the Western District of Washington

2012, U.S. Court of Appeals for the Ninth Circuit

2019, US District Court for the Eastern District of Michigan

2019, US District Court for the Eastern District of Washington

2020, Michigan

2021, US Court of Appeals for the Seventh Circuit

## PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar Association, *Member*

King County Bar Association, *Member*

American Bar Association, *Member*

Seattle Academy of Arts & Sciences, past *Alumni Board President, Trustee Ex Officio, and Strategic Planning Committee Member.*

## ARTICLES & PRESENTATIONS

Panelist, HarrisMartin's MDL Conference: HIV Drugs, Valsartan, 3M Earplugs and Litigation in a Post-Fosamax World Agenda - *Automotive MDLs - Preview of Tomorrow's Arguments*, Portland, OR, July 2019.

(Quoted) Mike Curley, *Buyers Gaining Ground in 'Right To Repair' Fight*, Law360 (April 8, 2022) <https://www.law360.com/foodbeverage/articles/1482374/buyers-gaining-ground-in-right-to-repair-fight>

(Quoted) Emily Field, *Product Liability Group Of The Year: Keller Rohrback*, Law360 (February 16, 2022) <https://www.law360.com/articles/1451452/product-liability-group-of-the-year-keller-rohrback>

## HONORS & AWARDS

Selected to Rising Stars list in *Super Lawyers - Washington*, 2020-2023

Selected as a 2023 Rising Star by Law360

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## DANIEL MENSHER

### CONTACT INFO

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(206) 623-1900  
dmensher@kellerrohrback.com

### PRACTICE EMPHASIS

- Consumer Protection
- Environmental Litigation
- Financial Products and Services
- Government and Municipalities
- Mass Personal Injury

### EDUCATION

#### Wesleyan University

B.A., 1998, History

#### University of Wisconsin

M.S., 2002, Geography

#### Lewis & Clark Law School

J.D., *cum laude*, 2007,  
Environmental Law Certificate;  
Cornelius Honors Society; Articles  
Editor, *Environmental Law Review*

**Daniel Mensher translates thorough preparation into courtroom success.** Dan practices in Keller Rohrback's nationally-recognized Complex Litigation Group with a focus on environmental cases and representing government entities in important litigation. He collaborates with his colleagues and clients to identify problems and craft creative, long-lasting solutions.

Dan has litigated important environmental and consumer cases across the country in federal and state court. He presently represents the States of Oregon, Delaware, and Maryland, as well as the City of Seattle in their cases against Monsanto seeking to hold the corporate giant responsible for natural resource damages related to its sale and marketing of PCBs. He is also part of the Keller Rohrback team representing more than 70 counties, cities, and tribes in the fight to hold drug manufacturers and other entities accountable for the opioid crisis.

Before joining the firm, Dan was an environmental law professor at Lewis & Clark Law School in Portland, Oregon, where he also litigated cases involving toxic waste, water pollution, and natural resource management. He has sat on governmental advisory boards and helped to draft key environmental regulations in place today. Dan uses his passion and experience to protect our environment and the people and communities that rely on clean air, water, and products.

### BAR & COURT ADMISSIONS

2007, Oregon  
2008, U.S. Court of Appeals for the Ninth Circuit  
2008, U.S. District Court for the District of Oregon  
2010, U.S. Court of Appeals for the District of Columbia  
2011, U.S. District Court for the District of Wisconsin  
2014, U.S. District Court for the Eastern District of Washington  
2014, Washington

### PROFESSIONAL & CIVIC INVOLVEMENT

Oregon State Bar Association, *Member*  
Washington State Bar Association, *Member*  
Toxic Free Future, *Board Member*  
Northwest Environmental Defense Center, *Board Member*, 2009-2014

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## PUBLICATIONS & PRESENTATIONS

Speaker, "PFAS from the Litigation Perspective," Law Seminars International, A Comprehensive Seminar on the 33rd Anniversary of the Model Toxics Control Act, December 7, 2023

Panelist, "Toxic Torts and Class Actions," Environmental Law and Policy Conference, University of Michigan, Michigan Law, September 30, 2022

Panelist, "Accountability for Climate Change Harms in the Pacific Northwest: Scientific, Policy and Legal Perspectives," Lewis & Clark Law School's Green Energy Institute, the Center for Climate Integrity, and Breach Collective, March 18, 2021

Speaker, Alliance of California Judges Symposium on the Economics of Consumer Protection, "Federalism and the Preemption of State Public Nuisance Actions," November 2019

Speaker, Bridgeport Environmental Class Action Webinar, March 2016

Speaker, Harris Martin Porter Ranch Gas Leak Litigation Conference, "Testing of the Air Quality and Expert Witnesses for the Cases," January 19, 2016

Daniel P. Mensher, *With Friends Like These...: The Trouble With Auer Deference*, 43 Envtl. Law Rev. 4, 2013

Speaker, Oregon Water Law Conference, November 7, 2013 (Addressing Issues in Water Quality Trading)

Speaker, Northwest Environmental Conference and Tradeshow, (The Precautionary Principle in Environmental Law), December 11, 2013

Speaker, RainOps Conference, Spokane, WA, Longview, WA (Clean Water Act Stormwater Regulation), 2013

Presenter, Oregon State Bar Environmental and Natural Resources Committee annual Continuing Legal Education Program, (Salmon Issues in Oregon and the Pacific Northwest), 2013

Speaker, Oregon State Bar CLE, Debate Regarding Decker v. NEDC, 2012.

Daniel P. Mensher, *Common Law On Ice: Using Federal Nuisance Law to Address Global Warming*, 37 Envtl. Law Rev. 2, 2007

Chris Rycewicz and Dan Mensher, *Growing State Authority Under the Clean Water Act*, 22 Nat. Resources & Env't 2, 2007

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## KEIL MUELLER

### CONTACT INFO

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(971) 253-4600  
kmueller@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Complex Litigation
- Environmental Litigation
- Governments & Municipalities
- Institutional Investors
- Securities

### EDUCATION

**New York University School of Law**  
J.D., *cum laude*, 2005

**Williams College**  
B.A., Philosophy and Political Science, *magna cum laude*, 1999

### Keil Mueller is a resolute and tireless advocate for his clients' interests.

With over 15 years of litigation experience, Keil has regularly represented government entities, investors, consumers, businesses and other Plaintiffs in a wide variety of complex legal matters and class actions. His practice focuses on issues related to securities and financial fraud, the environment, consumer class actions, and partner and shareholder disputes among others. Keil's thoughtful but tenacious pursuit of his clients' claims has contributed to significant courtroom victories and favorable settlements. He has successfully represented clients in matters of corporate malfeasance, taking on big companies such as AIG, Oppenheimer, FedEx Ground, JP Morgan Chase, and Bank of New York Mellon, just to name a few.

Currently, Keil is a key member of teams prosecuting claims on behalf of the State of Maryland, the State of Delaware, and the City of Seattle against multinational chemical manufacturer, Monsanto, and seeking to hold the corporate giant responsible for environmental contamination and other harms caused by Monsanto's sale and marketing of PCBs. Prior to joining Keller Rohrback, Keil also was a member of the team that represented the State of Oregon in similar claims against Monsanto, which Monsanto recently agreed to settle for \$698 million, the largest environmental settlement in Oregon's history.

In addition to advocating for his clients, Keil serves as a board member of the Campaign for Equal Justice and of the Oregon Lawyer Chapter of the American Constitution Society.

### BAR & COURT ADMISSIONS

2008, Oregon State Bar  
2006, New York  
2008, U.S. District Court, Oregon  
2006, U.S. District Court, Southern New York  
2006, U.S. District Court, Eastern New York  
2015, U.S. Court of Appeals, Ninth Circuit

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## PROFESSIONAL & CIVIC INVOLVEMENT

American Bar Association, *member*

American Constitution Society, Oregon Lawyer Chapter, *board member*, 2016-present (Chair, 2017-2018)

Multnomah Bar Association, *member*

- CLE Committee, 2012-2015 (Co-Chair 2014-2015)
- Court Liaison Committee, 2010-2013 (Chair 2012-2013)
- Young Lawyers Section, Membership Committee, 2010-2012

Oregon State Bar, *member*

Oregon Trial Lawyers Association, *member*

- Business Litigation Section, Chair, 2015-2018

Public Investors Advocate Bar Association (PIABA), *member*

Campaign for Equal Justice, *board member*, 2016-present (Secretary 2022-present)

- Associates Committee, 2010-2016 (Co-Chair 2014-2016)

Community Cycling Center, *board member*, 2014-2020 (Chair 2017-2018)

## HONORS & AWARDS

Benchmark Litigation, 2015-2023

Selected to Rising Stars list in Super Lawyers - Oregon, 2012-2016

Selected to Super Lawyers list in Super Lawyers - Oregon, 2020-2023

The Best Lawyers in America®, Portland, Oregon:

- Commercial Litigation, 2019-2024
- Litigation - Securities, 2021-2024
- Plaintiffs Mass Tort Litigation / Class Actions, 2022-2024

## ARTICLES & PRESENTATIONS

"Little Green Men: Protest and Federal Repression in Portland," American Constitution Society Oregon, Portland, Oregon (August 2020), presenter

Oregon Civil Pleading and Litigation, "Answers, Affirmative Defenses, Counterclaims, and Replies," 2020 Edition

Trial Lawyers, "You Say Yes. I Say No. Ethical Issues in Multi-Plaintiff Settlements," 2015

Oregon Statutory Time Limitations, "Chapter 10: Business Litigation," 2013 & 2017 Revisions

Oregon Civil Pleading and Practice, "Chapter 43: Attorney Fees, Cost Bills, and ORCP 17 Sanctions," 2012 Revision

Oregon State Bar Litigation Journal, "Avoiding Removal and Dismissal Under the Securities Litigation Uniform Standards Act of 1998," 2010

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## PROFESSIONAL & CIVIC INVOLVEMENT

American Bar Association, *member*

American Constitution Society, Oregon Lawyer Chapter, board member, 2016-present (Chair, 2017-2018)

Multnomah Bar Association, *member*

- CLE Committee, 2012-2015 (Co-Chair 2014-2015)
- Court Liaison Committee, 2010-2013 (Chair 2012-2013)
- Young Lawyers Section, Membership Committee, 2010-2012

Oregon State Bar, *member*

Oregon Trial Lawyers Association, *member*

- Business Litigation Section, Chair, 2015-2018

Public Investors Advocate Bar Association (PIABA), *member*

Campaign for Equal Justice, *board member*, 2016-present (Secretary 2022-present)

- Associates Committee, 2010-2016 (Co-Chair 2014-2016)

Community Cycling Center, *board member*, 2014-2020 (Chair 2017-2018)

## HONORS & AWARDS

Benchmark Litigation, 2015-2023

Selected to Rising Stars and Super Lawyers lists in Super Lawyers – Washington, 2012-2016 and 2020-2022

The Best Lawyers in America®, 2019-2023 Publications & Presentations

## ARTICLES & PRESENTATIONS

"Little Green Men: Protest and Federal Repression in Portland," American Constitution Society Oregon, Portland, Oregon (August 2020), presenter

Oregon Civil Pleading and Litigation, "Answers, Affirmative Defenses, Counterclaims, and Replies," 2020 Edition

Trial Lawyers, "You Say Yes. I Say No. Ethical Issues in Multi-Plaintiff Settlements," 2015

Oregon Statutory Time Limitations, "Chapter 10: Business Litigation," 2013 & 2017 Revisions

Oregon Civil Pleading and Practice, "Chapter 43: Attorney Fees, Cost Bills, and ORCP 17 Sanctions," 2012 Revision

Oregon State Bar Litigation Journal, "Avoiding Removal and Dismissal Under the Securities Litigation Uniform Standards Act of 1998," 2010

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## NATHAN NANFELT

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
nnanfelt@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Employment Litigation
- Insurance, Bad Faith & Policyholder Rights
- Personal Injury, Wrongful Death, Securities & Catastrophic Property Loss

### EDUCATION

#### Seattle University School of Law

J.D. 2012

#### Wheaton College

B.A., *cum laude*, 2007

### BAR & COURT ADMISSIONS

2012, Washington

**Nathan Nanfelt has the heart of an advocate.** He's committed to fighting for justice, fairness, and human rights. As an attorney in Keller Rohrback's Plaintiff's Tort Litigation Group, Nathan represents classes, individuals, and businesses harmed by others.

Nathan sharpened his litigation skills trying cases for the King County Prosecuting Attorney's Office. With his extensive trial and courtroom experience, Nathan knows when it's time to fight—but he also has the discernment to know when compromise benefits his clients.

A 2012 graduate of Seattle University School of Law, Nathan co-wrote constitutional and human rights educational materials for youth in Zambia, with a focus on gender-based violence and police brutality. Nathan's work was inspired by six months he spent in Zambia in college. A professor and mentor noticed Nathan's "advocate's heart" and encouraged him to pursue a career in law.

Prior to joining Keller Rohrback, Nathan served as a judicial law clerk in the U.S. District Court, Western District of Washington. He also served as a certified law clerk for the Los Angeles County District Attorney's Office's Victim Impact Program. Before that, he worked as a paralegal at a large firm in Chicago.

### PROFESSIONAL & CIVIC INVOLVEMENT

Judge Charles V. Johnson Youth and Law Forum, *Board Member* (2018-Current)  
William L. Dwyer Inn of Court, *Member* (current), *Board Member* (2018-2020)  
Washington State Association for Justice, *Member*  
Federal Bar Association, *Member*  
King County Bar Association, *Member*  
KCBA Young Lawyer Division, *Board Trustee* (2013-2016)

### HONORS & AWARDS

Received three CALI awards and the Witkin Award for Academic Excellence in Dispute Resolution.

National Trial Lawyers: Top 40 Under 40

Selected to Rising Stars list in *Super Lawyers - Washington*, 2020-2023

### PRESENTATIONS & PUBLICATIONS

"Gender Equity in the Legal Profession," CLE co-presentation to the William Dwyer Inn of Court (2018).

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## SARAH OSBORN

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### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Consumer Litigation
- Consumer & Data Privacy Protection
- Employment Law
- Financial Products & Services
- Whistleblower

### EDUCATION

**University of North Texas**  
B.B.A. in Economics, 2016

**University of Oregon School of Law**

M.S. in Conflict and Dispute Resolution, 2021  
J.D., Public Interest Law

**Sarah Osborn is a sharp and compassionate advocate for the underdog who utilizes her strong work ethic and robust skillset to achieve successful results for her clients.**

Sarah is an attorney working in Keller Rohrback's complex litigation and commercial litigation groups. She represents clients using a collaborative, thoughtful, and intuitive approach while maintaining a strong moral compass for social justice. Prior to joining Keller Rohrback, she focused on employment and civil rights litigation, including matters of discrimination, sexual harassment, whistleblower retaliation, and disability rights.

Sarah was inspired to go to law school after working in the financial services industry where she was exposed firsthand, to some of the most predatory industries to consumers. This exposure inspired Sarah to seek a career path dedicated to consumer justice.

During her time at the University of Oregon School of Law, Sarah received many community service awards for her work dedicated to civil rights. Additionally, Sarah actively pursued initiatives in social justice, clerking for organizations such as Disability Rights Oregon and Northwest Workers Justice Project. Sarah was also the only law student across the entire Pacific Region (made up of California, Oregon, and Washington law schools) selected for a Public Interest Award by Equal Justice Works in 2021 for her exemplary commitment to public interest law and pro bono work.

Sarah continues to be highly involved in the Oregon legal community focusing on advancing access to justice through organizations such as the Oregon Trial Lawyers Association (OTLA) and the LGBT Bar Association of Oregon (OGALLA).

When not fighting the good fight, you can find Sarah walking her three rescue chihuahuas, spending time outdoors, rock climbing, and solving sudoku puzzles.

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## BAR & COURT ADMISSIONS

Oregon State Bar, 2021

U.S. District Court, Oregon, 2022

Ninth Circuit Court of Appeals, 2022

## HONORS & AWARDS

Oregon State Bar: Oregon New Lawyers Division, Member Services Award, 2023

Equal Justice Works, Public Interest Award - Pacific Region, 2021

Pro Bono Honors, 2021

Hans Linde Fellowship, 2019.

## PROFESSIONAL & CIVIC INVOLVEMENT

Oregon New Lawyers Division, Executive Committee  
*Member-at-Large*

OGALLA, *Executive Committee Membership Secretary*

Oregon State Bar Consumer Law Section, *Executive Committee CLE Chair*

Portland State University Explore the Law Program, *Mentor*

Oregon Trial Lawyers Association, Member  
National Association of Consumer Advocates, *Member*

Oregon Free Legal Answers, *Pro Bono Attorney*

Multnomah Bar Association, *Member*

Oregon State Bar, *Member*

American Bar Association, *Member*

## PRESENTATIONS & PUBLICATIONS

"Rights of Adults Who Are Protected Persons," Co-Author, Oregon Elder Law Newsletter, July 2020

"Proactive and Reactive Resolution Mechanisms for Sexual Harassment: An Argument to Extend OSHA Protection," Author, University of Oregon Theses and Dissertations, December 2021

Co-presenter, *James et al. v. PacifiCorp: Lessons from Phase I Trial*, Oregon Trial Lawyers Association Summer Convention August 12, 2023

# KELLER ROHRBACK

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## YOONA PARK

### CONTACT INFO

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### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Environmental Litigation
- Government & Municipalities

### EDUCATION

**Dartmouth College**  
A.B., Art History and English, 1999

**Northwestern School of Law,  
Lewis & Clark College**  
J.D., *cum laude*, 2007

### BAR & COURT ADMISSIONS

2007, Oregon State Bar  
U.S. District Court, Oregon

**Yoona Park strives to embody the spirit of "nunchi,"** a Korean concept that recognizes the importance of reading the moods, tone, and goals of individuals within a group, and adjusting one's actions to meet those group dynamics. Yoona is motivated by this interpersonal aspect of her collaborative efforts in the legal profession—including those with co-counsel, Keller Rohrback colleagues, and clients. Her leadership ability and passion for both teamwork and advocacy are valuable tools that Yoona uses to guide her teams in identifying difficult problems and finding effective and practical solutions for her clients.

Yoona's work in Keller Rohrback's complex litigation group is focused on environmental law, class actions, and the representation of government entities in litigation against corporate wrongdoers. With over 15 years of litigation experience and a background in public relations, Yoona believes passionately in the legal system's power to redress harm to vulnerable populations and communities and is strategic about navigating the unique nuances and considerations involved when representing government entities in public-facing litigation. She is well respected by her peers, as well as industry organizations, and has been honored by Oregon Super Lawyers, Benchmark Litigation, and Best Lawyers in America.

Prior to her time at Keller Rohrback, Yoona worked closely with other members of the firm as co-counsel representing the State of Oregon in its case against Monsanto seeking to hold the corporate giant responsible for natural resource damages related to the sale and marketing of PCBs. She also represents the State of Maryland, State of Delaware, and City of Seattle in PCB litigation against Monsanto. Yoona also represents 19 Oregon school districts in litigation against JUUL Labs, Inc. and other e-cigarette manufacturers for targeting youth with their marketing and product design and addicting a new generation to nicotine. At her prior firm, Yoona most recently represented plaintiffs in a class action against Airbnb seeking changes to that company's discriminatory booking policies, and individuals whose personal information was compromised by a data breach in a class action against the health insurer Premera.

Outside of work, Yoona enjoys cooking, skiing, knitting sweaters that people feel obligated to wear, and spending time with her litigator husband and two teenage sons.

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## PROFESSIONAL & CIVIC INVOLVEMENT

Irvington Club, *Social Justice Committee Member*  
Oregon State Bar, *Member*  
Federal Bar Association, *Member*  
Multnomah Bar Foundation, *Treasurer/Secretary*  
Ninth Circuit, District of Oregon, *Lawyer Representative*, 2019-2022  
Oregon Trial Lawyers Association, Legislative Committee, 2009-2011, Business Litigation Section, *Co-Chair*, 2009-2012  
Boost Oregon, *Board Member*, 2015-2020  
Oregon Ballet Theatre, *Board Member*, 2010-2011  
Portland Taiko, *Board Member*, 2008-2009  
St. Andrew Legal Clinic, Race for Justice, *Committee Member*, 2008  
Classroom Law Project High School Mock Trial Competition, *Volunteer Coach*, 2008

## PRESENTATIONS & PUBLICATIONS

"A Conversation with Chief Justice Martha Walters," Oregon State Bar Litigation Institute, Skamania, Washington (February 2020)

"Class Actions," Co-Author, Oregon Civil Pleading and Litigation, 2020 Edition

## HONORS & AWARDS

Best Lawyers in America®, Portland Oregon:

- Employment Law - Individuals, 2017-2024
- Litigation - Commercial, 2018-2024
- Litigation - Environmental, 2024
- Litigation - Securities, 2024
- Plaintiffs Mass Tort Litigation / Class Action, Portland, 2024

Benchmark Litigation, Benchmark Litigation Star, 2023-2024

# KELLER ROHRBACK

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## MATTHEW PREUSCH

### CONTACT INFO

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(805) 456-1496  
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### PRACTICE EMPHASIS

- Consumer & Data Privacy Protection
- Environmental Litigation
- Governments and Municipalities

### EDUCATION

#### Pomona College

B.A., 2000, Politics, Philosophy, and Economics

#### Lewis & Clark Law School

J.D., *magna cum laude*, 2013,  
Environmental & Natural Resources Law Certificate

**Matthew Preusch is a partner at Keller Rohrback and practices in its nationally-recognized Complex Litigation Group.** Matt focuses his work on cases that protect people and the environment. He has helped initiate landmark consumer litigation related to Volkswagen's "Clean Diesel" deceit and Wells Fargo's unauthorized account scheme. When studies of moss samples in trees in Portland, Oregon identified several pollution "hotspots" in that city, he and others at Keller Rohrback launched cases on behalf of residents that resulted in the largest environmental class action settlement in Oregon history. More recently, he served as co-lead counsel representing survivors of four utility-caused wildfires in Oregon. That case resulted in a historic, first-of-its-kind jury verdict finding a utility liable to a class for punitive damages.

Before joining Keller Rohrback, Matthew served as an honors attorney in the Oregon Department of Justice's appellate and trial divisions. He was a judicial extern for the Hon. Michael W. Mosman in the District of Oregon during law school. Prior to his legal career, he spent 10 years as a journalist in the Pacific Northwest, covering regional and national news for The Oregonian, The New York Times and other publications.

### BAR & COURT ADMISSIONS

2013, Oregon  
2014, California  
2014, U.S. District Court for the Central District of California  
2014, U.S. District Court for the Eastern District of California  
2014, U.S. District Court for the Northern District of California  
2014, U.S. District Court for the Southern District of California  
2014, U.S. Court of Appeals for the Ninth Circuit  
2018, U.S. District Court for the District of Oregon

### PROFESSIONAL & CIVIC INVOLVEMENT

Santa Barbara Bar Association, *Member*

Underscore Media Collaboration, *Board Member*

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## PUBLICATIONS & PRESENTATIONS

Panelist, Bridgeport Consumer Class Action Litigation Conference, "Current State of the Law on Ascertainability and Standing," January 2017

Speaker, Bridgeport Environmental Class Action Webinar, March 2016

Panelist, Lewis and Clark Law School, Public Interest Law Project, "Cutting-Edge Bet the Company Mega Class Action CLE," February 2016

Panelist, Bridgeport Consumer Class Action Litigation Conference, "Current State of the Law on Ascertainability and Standing," January 2016

Speaker, Harris Martin Porter Ranch Gas Leak Litigation Conference, "Remedies," January 2016

"Don't Say, 'No Comment': How To Ethically and Effectively Talk to Reporters," Santa Barbara County Bar Association (Sept. 16, 2015)

Oregon State Bar Environmental & Natural Resources Section Case Notes (July 2015)

Matthew Preusch, "Tim Weaver, Yakama Tribes' Salmon Champion, Says His Goodbyes," The Oregonian (Jan. 1, 2010).

Matthew Preusch, "DEQ to Help Polluter Seek Federal Break on Mercury Emission," The Oregonian (Aug. 19, 2009).

Matthew Preusch, "Amid Forests Ashes, a Debate Over Logging Profits is Burning On," The New York Times (April 15, 2004)

## HONORS & AWARDS

Best Lawyers: Ones to Watch® in America, Plaintiffs Mass Tort Litigation / Class Action - Santa Barbara, California, 2024

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## SYDNEY READ

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
sread@kellerrohrback.com

### PRACTICE EMPHASIS

- Automotive Litigation
- Class Action and Consumer Litigation

### EDUCATION

#### Middlebury College

B.A., *magna cum laude*, 2017, Art History

#### University of Colorado School of Law

J.D., 2021

**Sydney's diligent care for the written word and enthusiasm for learning new areas of law allow her to create strong legal arguments for her clients.** Her high degree of intellectual curiosity, continued passion for law, and commitment to social justice make her a great fit for Keller Rohrback's Complex Litigation Group.

Sydney first joined the firm as a research analyst in KR's Santa Barbara office and she later transitioned into a paralegal role in the Seattle office. Those experiences taught her about the intricacies of complex litigation and the excitement of the legal industry, sparking her interest in becoming an attorney. Sydney went on to attend law school at the University of Colorado Law School, during which she volunteered at CU's RAP Lab, participated in the Marshall-Brennan Constitutional Literacy Project and the Colorado Appellate Advocacy Competition, and received the Shawn Stigler and Alex Nelson Alpine Endeavors Law Scholarship.

After graduating with her J.D. in 2021, Sydney rejoined Keller Rohrback as an associate in the firm's Complex Litigation Group, where she focuses on areas like automotive litigation, opioids litigation, and *In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*. Sydney's interest in these sprawling cases which seek to address corporate wrongdoing stems from her previous experience as a research analyst working with the firm's Volkswagen "Clean Diesel" litigation team.

### BAR & COURT ADMISSIONS

2021, Washington

2022, California

2022, U.S. District Court for the Western District of Washington

2022, U.S. Court of Appeals for the Ninth Circuit

2023, Wyoming

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## ERIN RILEY

### CONTACT INFO

1201 Third Avenue, Suite 3200  
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eriley@kellerrohrback.com

### PRACTICE EMPHASIS

- Appeals
- Class Actions
- Employee Benefits & Retirement Security
- Fiduciary Breach
- Financial Products and Services
- Securities

2000, Wisconsin  
2000, Washington  
2001, U.S. District Court for the Western District of Washington  
2010, U.S. Court of Appeals for the Fourth Circuit  
2011, U.S. Court of Appeals for the Second Circuit  
2011, U.S. Court of Appeals for the Ninth Circuit  
2015, U.S. Court of Appeals for the Seventh Circuit  
2016, Supreme Court of the United States

### EDUCATION

#### Gonzaga University

B.A., *cum laude*, 1992, French & History

#### University of Wisconsin Law School

J.D., *cum laude*, 2000, Wisconsin Law Review

**Erin Riley knows that strong relationships are key in complex cases.** As a partner in Keller Rohrback's Complex Litigation Group, Erin has allowed these collaborative and lasting relationships to inform her work for over 20 years.

Since 2001, Erin's practice has focused on representing employees and retirees in Employee Retirement Income Security Act ("ERISA") actions involving defined contribution, defined benefit, and health benefit plans.

Erin has worked on numerous ERISA-related articles and amicus briefs, and frequently speaks at employee benefits conferences. She has been actively involved with the *Employee Benefits Law* (Bloomberg-BNA) treatise since 2012 and currently serves as a lead editor of the Treatise. Erin is a fellow of the American College of Employee Benefits Counsel.

Erin earned her J.D. from the University of Wisconsin, where she was an editor of the Wisconsin Law Review. Prior to joining Keller Rohrback as an attorney in 2000, she worked with the firm as a summer associate in 1999.

### BAR & COURT ADMISSIONS

2000, Wisconsin  
2000, Washington  
2001, U.S. District Court for the Western District of Washington  
2010, U.S. Court of Appeals for the Fourth Circuit  
2011, U.S. Court of Appeals for the Second Circuit  
2011, U.S. Court of Appeals for the Ninth Circuit  
2015, U.S. Court of Appeals for the Seventh Circuit  
2016, Supreme Court of the United States

### HONORS & AWARDS

Best Lawyers in America, ERISA Litigation - Seattle, Washington, 2024  
Selected to Super Lawyers list in *Super Lawyers - Washington*, 2023  
Selected to Rising Stars list in *Super Lawyers - Washington*, 2009

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## PROFESSIONAL & CIVIC INVOLVEMENT

American College of Employee Benefits Counsel, *Fellow*

Wisconsin State Bar Association, *Member*

King County Bar Association, *Member*

Washington State Bar Association, *Member*

Civil Procedure Sub-Committee for the ABA Employee Benefits Committee, *Plaintiffs' Co-Chair, 2012 – 2016*

*Employee Benefits Law* (Bloomberg-BNA), Chapter Editor, 2012 – 2016

*Employee Benefits Law* (Bloomberg-BNA), Senior Editor, 2016 – 2018

*Employee Benefits Law* (Bloomberg-BNA), Co-Chair, Board of Senior Editors, 2018 – present

Washington State Supreme Court, Pro Bono Publico Honor Roll, 2014 – present

## PUBLICATIONS & PRESENTATIONS

Panel Moderator, ABA Section of Labor and Employment Law Employee Benefits Committee 2023 Midwinter meeting, 2023 (Did Hughes Move the Needle? 401(k) Fee Litigation Update).

Quoted, "Benefits Practice Group of the Year: Keller Rohrback," *Law360* (February 22, 2022).

Panelist, "Current Developments in Defined Contribution Investment Litigation" ABA Live Webinar, March 23, 2022.

Panelist, "ERISA Class Actions: Plaintiff and Defense Perspectives," Western Alliance Bank ERISA Webinar, September 22, 2021.

Quoted, "Benefits Practice Group of the Year: Keller Rohrback," *Law360* (Dec. 7, 2020).

Panelist, ABA Section of Labor and Employment Law, Employee Benefits Committee – Mid-Winter Meeting, Rancho Mirage, California, 2020 (Defined Contribution Investment Litigation Update).

Brief for Law Professors as Amici Curiae in Support of the Petitioners, *Thole v. U.S. Bank*, No. 17-1712 (U.S. 2019).

Speaker, Western Pension & Benefits Council – Spring Seminar, Seattle, WA, 2019 (Litigation Update: Two Perspectives).

Panelist, ABA Section of Labor and Employment Law, Employee Benefits Committee – Mid-Winter Meeting, Nashville, Tennessee, 2019 (Arbitration: What's Different About ERISA?)

Panelist, ABA Section of Labor and Employment Law, Employee Benefits Committee – Mid-Winter Meeting, Austin, TX, 2017 (How to Get the Class Action Settlement Your Client Needs).

Quoted in Jacklyn Wille, "Ninth Circuit Adopts Pro-Worker Pension Framework," *Pension & Benefits Daily*, Bloomberg BNA (Apr. 22, 2016) ([www.bna.com](http://www.bna.com)).

"*Amgen Inc. v. Harris*: What is the Status of ERISA Company Stock Cases Post-Amgen," ABA Employee Benefits Committee Newsletter, Spring, 2016.

Speaker, ACI ERISA Litigation, Chicago, IL, 2016 (Supreme Court Roundup).

Panelist, ABA Section of Labor and Employment Law, Employee Benefits Committee – Mid-Winter Meeting, Las Vegas, NV, 2016 (mock mediation).

Quoted in Andrea L. Ben-Yosef, "Class Action Suits on Plan Fees Steam Ahead," *Pension & Benefits Blog*, Bloomberg BNA (Feb. 10, 2016) ([www.bna.com](http://www.bna.com)).

Br. of Amicus Curiae of Pension Rights Center in Supp. of Petition, *Pundt v. Verizon Communications*, No. 15-785 (U.S. 2016).

Br. of Amicus Curiae AARP and National Employment Lawyers Association in Supp. of Pls.-Appellees, *Whitley v. BP, P.L.C.*, No. 15-20282 (5th Cir. Oct. 28, 2015).

Br. of The Pension Rights Center as Amicus Curiae in Supp. of Resp't, *Spokeo, Inc. v. Robins*, No. 13-1339 (U.S. Sept. 4, 2015).

Lynn L. Sarko, Erin M. Riley, and Gretchen S. Obrist, Brief for Law Professors as Amici Curiae in Support of the Petitioners, *Tibble, et al. v. Edison International, et al.*, No. 13-550 (U.S. 2014).

Quoted in Jacklyn Wille, "High Court to Address Statute of Limitations for Suits Challenging Retirement Plan Fees," *Pension & Benefits Daily*, Bloomberg BNA (Oct. 3, 2014) ([www.bna.com](http://www.bna.com)).

Speaker, Western Pension & Benefits Council – 2014 Spring Seminar, Seattle, WA, 2014 (What's New in Fiduciary Litigation?).

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Erin M. Riley and Gretchen S. Obrist, Contributors, "Attorneys Reflect on 40 Years of ERISA's Biggest Court Rulings" Pension & Benefits Daily, Bloomberg BNA, discussing CIGNA Corp. v. Amara, 131 S.Ct. 1866, 50 EBC 2569 (U.S. 2011) (95 PBD, 5/17/11; 38 BPR 990, 5/24/11) (<http://www.bna.com>)

Erin M. Riley and Gretchen S. Obrist, "The Impact of Fifth Third Bancorp v. Dudenhoeffer: Finally, a Court Gets it Right!" Pension & Benefits Daily, Bloomberg BNA (154 PBD, 8/11/2014) (<http://www.bna.com>).

Lynn L. Sarko and Erin M. Riley, Brief for Law Professors as Amici Curiae in Support of the Respondents, *Fifth Third Bancorp v. Dudenhoeffer*, No. 12-751 (U.S. March 5, 2014).

"Erin M. Riley Explores the Pro-Plaintiff Aspects of the Citigroup Ruling", ERISA Litigation Tracker: Litigator Q&A, Bloomberg BNA (Dec. 1, 2011). Reproduced with permission from ERISA Litigation Tracker Litigator Q & A (Dec. 5, 2011). Copyright 2011 by The Bureau of National Affairs, Inc. (800-372-1033)

Sarah H. Kimberly, Erin M. Riley, "Court Declines to Limit Damages in Neil v. Zell", ABA Employee Benefits Committee Newsletter (Spring, 2011).

Derek W. Loeser, Erin M. Riley and Benjamin Gould, "2010 ERISA Employer Stock Cases: The Good, the Bad, and the In-Between Plaintiffs' Perspective", Bureau of National Affairs, Inc. (Jan. 28, 2011).

Derek W. Loeser and Erin M. Riley, "The Case Against the Presumption of Prudence," Bureau of National Affairs, Inc. (Sept. 10, 2010).

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## ADAM ROSENBERG

### CONTACT INFO

1201 Third Avenue, Suite 3200  
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(206) 623-1900  
arosenberg@kellerrohrback.com

### PRACTICE EMPHASIS

- Appeals
- Class Actions & Consumer Litigation
- Insurance Bad Faith & Policyholder Rights
- Personal Injury & Wrongful Death

### EDUCATION

**Washington State University**  
B.A. Business Administration,  
2004

**Seattle University School of Law**  
J.D., 2007, *summa cum laude*

**Whether a government agency or a frightened individual hoping to never again be involved with the legal system, Adam Rosenberg can be depended on to aggressively take on his client's cause.**

Adam represents both plaintiffs and defendants in a wide array of civil matters. His practice centers on litigation of a complex nature, including catastrophic injury, insurance bad faith, civil rights, land use, water law, and business disputes among others. He's litigated high-stakes cases of national importance, as well as cases that were only important to the people involved.

Originally from Pennsylvania, Adam came to the Pacific Northwest for school, receiving a bachelor's degree in Business Administration from the University of Washington and his J.D. from Seattle University School of Law. Before joining Keller Rohrback, Adam worked for multiple, other prominent Seattle-area firms. He credits any practice success he's had to osmosis, having been privileged to work with (and against) some of the best trial lawyers in the country.

When not working, Adam enjoys spending time with his wife and two children, running, hiking and generally waging war against the natural aging process.

### BAR & COURT ADMISSIONS

2007, Washington

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## CHRIS RYDER

### CONTACT INFO

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(206) 623-1900  
cryder@kellerrohrback.com

### PRACTICE EMPHASIS

- Class Actions
- Commercial Litigation
- Consumer & Data Privacy Protection

### EDUCATION

**Washington State University**  
B.A., Communication, 2017 *magna cum laude*

**Gonzaga University School of Law**

J.D., 2021, *magna cum laude*

**Chris Ryder knows that effective communication is key to building a persuasive and coherent legal argument.**

Long interested in politics and the idea of creating positive social change, Chris views the legal tools of class actions and mass torts as effective ways to proactively correct corporate wrongdoings and help a large number of people in ways that might otherwise be unfeasible. With a particular interest in the new frontier of digital and online issues, Chris is well suited to Keller Rohrback's consumer and data privacy protection practice and other complex litigation teams.

The seeds of a legal career were first planted for Chris in 2016 while working as an undergraduate communications intern for a non-profit in Washington D.C. and interacting with their robust legal department. From there, Chris attended and received his J.D. from Gonzaga University School of Law, graduating magna cum laude in 2021, where he acted as the Managing Editor of the Gonzaga Law Review. After graduating from law school, Chris clerked for the Honorable Justice Susan Owens of the Washington State Supreme Court.

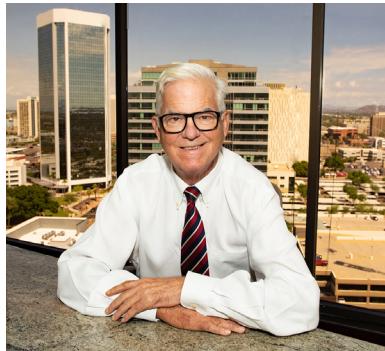
In his personal life, Chris enjoys playing and watching chess, reading Kurt Vonnegut novels, exploring national parks with his wife, and playing saxophone.

### BAR & COURT ADMISSIONS

2021, Washington  
2023, Western District of Washington  
2023, Second Circuit Court of Appeals

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## MARK D. SAMSON

### CONTACT INFO

3101 N Central Avenue, Ste. 1400  
Phoenix, AZ 85012  
(602) 248-2822  
msamson@kellerrohrback.com

### PRACTICE EMPHASIS

- Medical Malpractice Litigation
- Products Liability - Plaintiffs
- Personal Injury Litigation
- Commercial Litigation
- Complex Litigation

### EDUCATION

#### Arizona State University

B.S., *summa cum laude*, 1976, Bio-Ag Sciences

#### Washington State University College of Veterinary Medicine

D.V.M., *summa cum laude*, 1980

#### Washington State University College of Veterinary Medicine

M.S., 1983, Veterinary Anatomy

#### Arizona State University College of Law

J.D., *summa cum laude*, 1986,  
Order of the Coif

**As a licensed veterinarian, Mark has the medical knowledge that helps get his clients the results they deserve.** Given that strong medical science background, Mark's practice focuses on tort law, including medical negligence, product liability, and other significant personal injury cases. He has nearly 35 years of experience litigating medical malpractice cases with victories including the landmark Edwards verdict, a transfusion-associated AIDS case that remains one of the largest personal injury verdicts in Arizona history. Mark was born in New York, but he moved to the Phoenix area in 1959 and grew up there. He practiced from 1986 to 1995 at Meyer, Hendricks, Victor, Osborn & Maledon, becoming a member in 1992. In 1995, Mark helped form Dalton Gotto Samson & Kilgard, P.L.C. ("DGSK") and was one of the members of DGSK who formed Keller Rohrback P.L.C. in 2002, and then Keller Rohrback L.L.P. in 2015.

### BAR & COURT ADMISSIONS

1986, Arizona  
1986, U.S. District Court for the District of Arizona  
1986, U.S. Court of Appeals for the Ninth Circuit  
1986, U.S. Supreme Court  
2008, Washington, D.C.

### HONORS & AWARDS

Named to Super Lawyers list in *Super Lawyers - Southwest*, 2008-2021  
Best Lawyers in America, Medical Malpractice Practice, Phoenix, Arizona 2022-2023  
Best Lawyers in America®, Phoenix, Arizona:

- Medical Malpractice Practice, 2022-2024
- Plaintiffs and Personal Injury Litigation - Plaintiffs, 2023-2024
- Plaintiffs Product Liability Litigation, Phoenix, 2024

### PROFESSIONAL & CIVIC INVOLVEMENT

Maricopa County Bar Association, *Member*

Arizona State Bar Association, *Member*

American Association for Justice, *Member*

Arizona Association for Justice, *Sustaining Member*

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## PUBLICATIONS & PRESENTATIONS

American Veterinary Medical Law Association, *The Lawyer's Role in Meeting 21st Century Changes in Veterinary Medicine*, 2018.

Maricopa County Association of Paralegals, *Personal Injury Law in Arizona*, 2018.

Arizona State University College of Law, *Health Law and Policy*, 2016.

Arizona Paralegal Association, *Health Law - Medical Malpractice in Today's World*, 2016.

Arizona Trial Lawyers Association, *From the Heart: Letting Go in Front of the Jury*, 2015.

Arizona Trial Lawyers Association, *Medical Malpractice Seminar*, 2013.

Arizona Trial Lawyers Association, *Trial Masters: A Look Inside the Value Options Case & Tools for Difficult Cases*, 2011.

Arizona State Bar, *Comparing Veterinary and Legal Ethics*, 2009.

Arizona Trial Lawyers Association, *Loss of a Chance in Med Mal Cases*, 2008.

Arizona Trial Lawyers Association, *Issues in FTCA Claims*, 2008.

Co-Chair, Arizona Trial Lawyers Association, *Trial Practice - Damages*, 2007.

Chairman, Arizona Trial Lawyers Association, *Rapid Fire on Litigation Issues*, Oct. 2006.

Co-Chair, Arizona Trial Lawyers Association, *Liens*, Jan. 2006.

Author, Blackwell's 5-Minute Veterinary Practice Management Consult, *Negotiating 101*, 2006.

Maricopa County Bar Association, *Arizona Appellate Update*, 2005.

Maricopa County Bar Association, *Liens Again*, 2004.

Chairman, Arizona State Bar, *New Ethical Rules in Arizona*, Oct. 2003.

Speaker, Arizona Veterinary Medical Association,

*Application of legal principles to veterinary medicine*, 1999-2003.

Speaker, Arizona Paralegal Association, *Settlement conferences versus trial in medical malpractice cases*, 2002;

Speaker, Arizona Paralegal Association, *Changes and issues in Arizona's ethical rules for attorneys*, 2003.

Maricopa County Bar Association, *Punitive Damages after Campbell v. State Farm*, May 2003.

Co-Chair, Arizona Trial Lawyers Association, *Anatomy of Pain*, 2002.

Speaker, Arizona Trial Lawyers Association Medical Malpractice Seminar, *Use of medical literature in the courtroom*, 1996;

Speaker, Arizona Trial Lawyers Association Medical Malpractice Seminar, *New legal theories in medical malpractice*, 1999.

Chair, Maricopa County Bar Association, *Seminar on Medical Malpractice in the Ages of Disclosure*.

Speaker, National Meeting of American Veterinary Medical Law Association, *Tort and Regulatory Issues Affecting Veterinarians*, 1995.

Chair, Maricopa County Bar Association, *Seminar on Anatomy*, 1994.

# KELLER ROHRBACK

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## CHRIS SPRINGER

### CONTACT INFO

801 Garden Street, Suite 301  
Santa Barbara, CA 93101  
(805) 456-1496  
cspringer@kellerrohrback.com

### PRACTICE EMPHASIS

- Antitrust and Trade Regulation
- Appeals
- Class Action & Consumer Litigation
- Consumer Protection
- Data Privacy Litigation
- Employee Benefits & Retirement Security

### EDUCATION

**Dartmouth College**  
B.A., *cum laude*, 2000

**U.C. Berkeley School of Law**  
J.D., 2008

**Chris Springer is dedicated to working to help people who have been harmed by the unlawful conduct of large corporations and other entities.**

He is a partner in Keller Rohrback's nationally recognized Complex Litigation Group and practices in the firm's Santa Barbara office. He is experienced in cases involving consumer protection, data security, environmental protection, disability access, employment rights, and ERISA.

Before joining Keller Rohrback, Chris worked in the field of software development and testing. His practice now focuses on data-privacy and other consumer-protection litigation. Since joining Keller Rohrback, he helped obtain a multimillion-dollar recovery in *Corona v. Sony Pictures Entertainment, Inc.*, No. 14-9600 (C.D. Cal.), which involved the theft and disclosure of medical, financial, and employment information. He is also actively involved in other data privacy matters, including *In re 21st Century Oncology Customer Data Security Breach Litigation*, which involves the unauthorized disclosure of personal and medical information.

### BAR & COURT ADMISSIONS

2013, California  
2017, U.S. District Court for the Central District of California  
2017, U.S. District Court for the Northern District of California

### PROFESSIONAL & CIVIC INVOLVEMENT

California State Bar Association, *Member*  
Santa Barbara Bar Association, *Member*  
American Bar Association, *Member*

### HONORS & AWARDS

American Jurisprudence Award, Civil Procedure

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## NATIDA SRIBHIBHADH

### CONTACT INFO

1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
[natidas@kellerrohrback.com](mailto:natidas@kellerrohrback.com)

### PRACTICE EMPHASIS

- Class Action & Consumer Litigation
- Consumer Protection
- Governments and Municipalities

### EDUCATION

#### University of Washington

B.A., Journalism, 2008

#### University of San Diego School of Law

J.D., 2014; High honors in  
Mediation, Negotiation, and  
Education and Disability Clinic

**Natida Sribhibhadh is driven by a desire to make a lasting impact in our community and the world.** With the public's best interest always in mind, Natida brings a strong sense of collaboration and teamwork to her work in Keller Rohrback's Complex Litigation Group.

Coming from a family of teachers, the importance of leaving a lasting impact was impressed upon Natida from a young age. As a Seattle native who attended international school in Bangkok, Natida grew up cognizant of how big the world is and how much needs to be changed. In 2021, Natida joined Keller Rohrback, drawn to the firm's commitment to obtaining large-scale justice for those who have been harmed by corporate wrongdoing. Equipped with a fierce ability to remain calm under pressure and a love of challenging cases, Natida is well suited to the firm.

Natida graduated with her J.D. from the University of San Diego School of Law in 2014. Following that, she was an attorney at a Seattle-based law firm for five years, where she worked as a plaintiffs' personal injury attorney, gaining experience in all stages of litigation and dispute resolution, including discovery, pretrial motions, arbitration, and settlement negotiations. During her time in law school, Natida served as a legal intern for Peter D. Lange in Sydney, Australia, as a judicial extern at San Diego Superior Court, and as a legal intern at USD's Education and Disability Clinic representing parents and children in cases against local school districts.

### BAR & COURT ADMISSIONS

2015, Washington

2021, U.S. District Court for the Western District of Washington

### PROFESSIONAL & CIVIC INVOLVEMENT

Washington State Bar, *Member*, 2015 - Present

Washington State Association for Justice, *Eagle Member*, 2016 - Present

Asian Counseling and Referral Services (ACRS), *Board Member*, 2023-Present

Legal Foundation of Washington, State-wide co-chair for the Associates Campaign for Equal Justice (2023)

Asian Bar Association of Washington, *Member*

Filipino Lawyers of Washington, *Member*

Thai Bar Association, *Member*

### HONORS & AWARDS

Recognized by Puget Sound business Journal as a "Next Gen in Law" recipient, September 2023

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## HAVILA UNREIN

### CONTACT INFO

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### PRACTICE EMPHASIS

- Class Actions
- Consumer Protection
- Employee Benefits and Retirement Security
- Environmental Contamination
- Fiduciary Breach
- Financial Products and Services
- Mass Personal Injury
- Securities
- Whistleblower

### EDUCATION

#### Dartmouth College

B.A., *magna cum laude*, 2003,  
Russian Area Studies

#### University of Washington School of Law

J.D./LL.M. (Tax), *with honors*, 2008

**Havila Unrein gives her clients a voice in the legal system.** Havila practices in Keller Rohrback's nationally recognized Complex Litigation Group, where she is dedicated to helping clients who have been harmed by others engaged in fraud, cutting corners, and abuses of power.

Havila made significant contributions to *Hartman et al. v. Ivy Asset Management et al.*, a case involving fiduciary breach related to Madoff investments that resulted in a \$219 million settlement with consolidated cases. She currently represents plaintiffs in multiple cases alleging violations of the Employee Retirement Income Security Act of 1974 ("ERISA") by healthcare institutions attempting to claim exempt "church plan" status under ERISA.

During law school, Havila provided tax and business advice to low-income entrepreneurs and high-tech start-ups as a student in the Entrepreneurial Law Clinic. She also served as an extern to the Honorable Stephanie Joannides of the Anchorage Superior Court. Prior to law school, Havila worked and studied abroad in Russia, Azerbaijan, and the Czech Republic.

### BAR & COURT ADMISSIONS

2008, Washington  
2009, U.S. District Court for the Western District of Washington  
2012, Montana  
2012, U.S. Court of Appeals for the Ninth Circuit  
2012, U.S. District Court for the District of Montana  
2013, California  
2013, U.S. District Court for the District of Colorado  
2013, U.S. District Court for the Central District of California  
2013, U.S. District Court for the Eastern District of California  
2013, U.S. District Court for the Northern District of California  
2013, U.S. District Court for the Southern District of California  
2014, U.S. Court of Appeals for the Sixth Circuit

### PROFESSIONAL & CIVIC INVOLVEMENT

California State Bar Association, *Member*  
Santa Barbara County Bar Association, *Member*  
Washington State Bar Association, *Member*  
King County Bar Association, *Member*  
Montana State Bar Association, *Member*

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## JEN WAGNER

### CONTACT INFO

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### PRACTICE EMPHASIS

- Class Actions & Consumer Litigation
- Complex Litigation
- Employment Law
- Environmental Litigation
- Securities

### EDUCATION

**University of Michigan, Ann Arbor**  
B.A., with High Distinction, 1996

**Northwestern School of Law at Lewis and Clark College**  
J.D., magna cum laude, graduating first in class, 2002

**Jen advocates for her clients with intelligence and integrity, and is particularly adept at navigating the unique strategic and procedural challenges of complex legal matters and class action litigation.**

Jen represents clients in a wide variety of areas, including environmental, consumer, securities, and employment disputes.

Jen is currently a member of the team prosecuting claims on behalf of the State of Maryland, the State of Delaware, and the City of Seattle against multinational chemical manufacturer, Monsanto, seeking to hold the company accountable for environmental contamination caused by Monsanto's sale and marketing of PCBs. Prior to joining Keller Rohrback, Jen worked closely with other members of the firm as co-counsel representing the State of Oregon in a similar case against Monsanto, which resulted in a \$698 million settlement, the largest environmental settlement in Oregon's history. At her prior firm, Jen was also a member of the team representing investors in the Aequitas Ponzi scheme class action, which resulted in a \$235 million settlement.

### BAR & COURT ADMISSIONS

2002, Oregon State Bar  
2002, U.S. District Court, Oregon  
2014, U.S. Court of Appeals, Ninth Circuit

### HONORS & AWARDS

Benchmark Litigation, 2015-2023  
Benchmark Litigation, Top 250 Women in Litigation, 2022  
Ranked in Chambers and Partners USA Guide, 2021-2023 – Litigation: General Commercial  
Selected to Super Lawyers list in Super Lawyers – Oregon, 2010-2023  
Portland Business Journal Women of Influence, 2021  
Best Lawyers in America®, Portland, Oregon, 2013-2023:

- Commercial Litigation
- Litigation – Labor and Employment
- Litigation – Securities

# KELLER ROHRBACK

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## PUBLICATIONS & PRESENTATIONS

"Class Actions," co-author, Oregon Civil Pleading and Litigation, 2020 Edition

## PROFESSIONAL & CIVIC INVOLVEMENT

Oregon State Bar - Litigation Section Executive Committee, 2014-2022

Multnomah Bar Foundation -

- *President*, 2020-2021
- *Vice President*, 2018-2019
- *Secretary*, 2017-2018
- *Board Member*, 2016

Multnomah Bar Association

Professional Development and Education Committee, 2006-2007

- Continuing Legal Education Committee, 2009-2011
- MBA Court Liaison Committee, 2013-2015; Chair, 2015
- Oregon Women Lawyers, Member, 2011-2013

Roberts-Deiz Awards Committee

American Bar Association, Member

Oregon Trial Lawyers Association, Member

American Bar Foundation, Fellow

# KELLER ROHRBACK

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## MICHAEL WOERNER

### CONTACT INFO

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### PRACTICE EMPHASIS

- Class Actions
- Consumer Protection
- Data Privacy Litigation
- Employee Benefits and Retirement Security
- Environmental Litigation
- Mass Personal Injury
- Medical Negligence
- Securities

### EDUCATION

#### University of Puget Sound

B.S., 1982

#### Notre Dame Law School

J.D., 1985

**Mike Woerner works for the public good.** A member of Keller Rohrback's nationally recognized Complex Litigation Group since 1985, Mike focuses on class action and mass personal injury cases. He is skilled at focusing the Courts' attention on key issues in litigation and at negotiating favorable settlements to bring relief to people who have experienced physical, emotional, and financial harm from environmental contamination, dangerous pharmaceutical drugs, and other negligent acts with far-reaching consequences.

Mike was a member of the litigation team that received the 1995 Trial Lawyer of the Year Award from Trial Lawyers for Public Justice for the *In re Exxon Valdez* litigation resulting from the devastation of thousands of miles of fishing ground around Prince William Sound, Kodiak Island, Chignik, and Cook Inlet after the infamous oil spill. He has more recently represented hundreds of clients in multiple states at risk of heart-valve damage or primary pulmonary hypertension from fen-phen diet drugs. Mike also has experience litigating and negotiating widespread medical negligence issues and misconduct by fiduciaries charged with investing retirement plan assets. With his focus on impact litigation, Mike strives to achieve full compensation for his clients as well as to compel institutional reform and change the conduct of powerful bad actors to prevent them from causing future harm.

Outside of work, Mike enjoys traveling with his family experiencing new places and cultures, as well as staying closer to home cheering on his kids' basketball and volleyball teams.

### BAR & COURT ADMISSIONS

1985, Washington

### PROFESSIONAL & CIVIC INVOLVEMENT

Issaquah Food and Clothing Bank, *Vice-Chair*

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member*

### HONORS & AWARDS

Trial Lawyer of the Year – Trial Lawyers for Public Justice, 1995

Selected to Rising Stars list in *Super Lawyers - Washington*, 2001

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2018-2023.

Best Lawyers in America®, Plaintiffs Mass Torts / Class Action - Seattle, Washington, 2024

# KELLER ROHRBACK

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## EMMA WRIGHT

### CONTACT INFO

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### PRACTICE EMPHASIS

- Class Action and Consumer Litigation
- Data Privacy Litigation

### EDUCATION

#### Loyola Marymount University

B.A., 2015, Political Science

#### Seattle University School of Law

J.D., *magna cum laude*, 2020  
Editor-in-Chief, Seattle University Law Review

**Emma's fierce intelligence and attention to detail allows her to delve into the legal intricacies of every case.** Emma brings great enthusiasm to Keller Rohrback's nationally recognized Complex Litigation Group—a practice for which she is well suited, as each case is unique and intellectually demanding.

Having aspired to be an attorney since childhood, Emma was initially drawn to litigation when she took a civil procedure course in law school and learned just how complex and rule-intensive litigation is. In addition, Emma sees complex litigation as an avenue with which to hold large corporations accountable, which connects to her personal dedication to equity.

In 2020, Emma graduated *magna cum laude* with her J.D. from Seattle University School of Law, where she served as Editor-in-Chief of the Seattle University Law Review, on the Moot Court Board, and as a research assistant to her civil procedure professor. During law school, she also externed for Judge John C. Coughenour of the Western District of Washington.

Drawn to the firm's culture of collaboration and commitment to social justice, Emma first worked at Keller Rohrback as a summer associate in 2018 and 2019, eventually returning to the firm full-time as an associate attorney in 2020. She is excited to rejoin the team working on *In re Facebook, Inc. Consumer Privacy User Profile Litigation*, which the firm filed when Emma was a 1L summer associate.

In her spare time, Emma enjoys skiing, traveling, and spending time with her dog, Winter.

### BAR & COURT ADMISSIONS

2020, Washington

# KELLER ROHRBACK

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